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# ENVIRONMENTAL ASSESSMENT BOARD

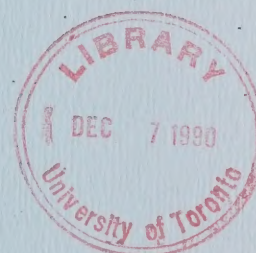
VOLUME: 267

DATE: Wednesday, November 28, 1990

BEFORE:

A. KOVEN Chairman

E. MARTEL Member



FOR HEARING UPDATES CALL (TOLL-FREE): 1-800-387-8810

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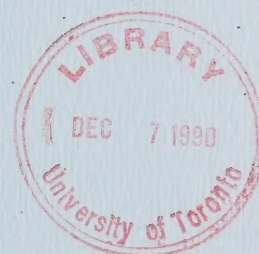
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL  
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR  
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental  
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental  
Assessment for Timber Management on Crown  
Lands in Ontario;

- and -

IN THE MATTER of an Order-in-Council  
(O.C. 2449/87) authorizing the  
Environmental Assessment Board to  
administer a funding program, in  
connection with the environmental  
assessment hearing with respect to the  
Timber Management Class  
Environmental Assessment, and to  
distribute funds to qualified  
participants.

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Hearing held at the offices of the Ontario  
Highway Transport Board, Britannica Building,  
151 Bloor Street West, 10th Floor, Toronto,  
Ontario, on Wednesday, November 28th, 1990,  
commencing at 9:00 a.m.

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VOLUME 267

BEFORE:

MRS. ANNE KOVEN  
MR. ELIE MARTEL

Chairman  
Member





A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	MINISTRY OF NATURAL
MS. C. BLASTORAH )	RESOURCES
MS. K. MURPHY )	
MR. B. CAMPBELL )	
MS. J. SEABORN )	MINISTRY OF ENVIRONMENT
MS. B. HARVIE )	
MR. R. TUER, Q.C. )	ONTARIO FOREST INDUSTRY
MR. R. COSMAN )	ASSOCIATION and ONTARIO
MS. E. CRONK )	LUMBER MANUFACTURERS'
MR. P.R. CASSIDY )	ASSOCIATION
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TOURISM ASSOCIATION





I N D E X   O F   P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
<u>ROBERT PAYNE</u> , Resumed	48304
Continued Direct Examination by Mr. Lindgren	48304
SCOPING SESSION	48484





I N D E X   O F   E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1598	Hard copies of overheads re CWS data to be referred to by Dr. Payne in evidence.	48301
1599	Letter dated August 1, 1990 from counsel for MNR to EA Board re MNR new terms and conditions.	48303





1       ---Upon commencing at 9:00 a.m.

2                   MADAM CHAIR: Please be seated.

3                   MR. LINDGREN: Good morning, Madam Chair.

4       I note that Mr. Cosman is not here yet.

5                   MADAM CHAIR: Well, we can't get started  
6       without Mr. Cosman.

7                   MR. LINDGREN: I'm ready to go.

8                   MS. SEABORN: I'm sure he'll be here,  
9       Madam Chair.

10                  MADAM CHAIR: I'm sure he will be.

11                  MR. LINDGREN: Actually, what we could do  
12       maybe to fill the time, I do have a couple of  
13       additional documents that could be filed.

14                  MADAM CHAIR: Exhibits, let's start with  
15       that, Mr. Lindgren.

16                  MR. LINDGREN: Dr. Payne will be using  
17       some overheads in relation to the Canadian Wildlife  
18       Service data that he referred to yesterday, and I have  
19       hard copies of that document. (handed)

20                  MR. LINDGREN: Will this be Exhibit 1598?

21                  MADAM CHAIR: That's what Mr. Martel  
22       says, it must be. 1598.

23       ---EXHIBIT NO. 1598: Hard copies of overheads re CWS  
24                               data to be referred to by Dr.  
                              Payne in evidence.

25                  MADAM CHAIR: And can you describe this

1 document, Mr. Lindgren?

2 MR. LINDGREN: It's a six page document,  
3 and I would simply describe it as hard copies of the  
4 overheads to be used by Dr. Payne in relation to the  
5 Canadian Wildlife Service data.

6 I should also indicate that the Canadian  
7 Wildlife Service data that we have been referring to  
8 has been filed previously in this hearing, it's been  
9 marked as 239 to 242 I believe.

10 MADAM CHAIR: Good morning, Mr. Cosman.

11 MR. COSMAN: Good morning, Madam Chair.

12 MADAM CHAIR: We were waiting for you.

13 MR. COSMAN: Thank you.

14 MR. LINDGREN: And, Madam Chair, the next  
15 exhibit is a letter from counsel for the Ministry of  
16 Natural Resources to the Board dated August 1st, 1990,  
17 and it's in relation to the Ministry of Natural  
18 Resources new terms and conditions and it's a --

19 MS. BLASTORAH: I'm sorry, Mr. Lindgren,  
20 I couldn't hear you.

21 MR. LINDGREN: It's a five-page document.  
22 It's the Ministry's letter dated August 1st, 1990 in  
23 relation to the new Ministry of Natural Resources terms  
24 and conditions.

25 MS. BLASTORAH: Thank you.



1 MADAM CHAIR: That will be Exhibit 1599.

2 ---EXHIBIT NO. 1599: Letter dated August 1, 1990 from  
3 counsel for MNR to EA Board re  
MNR new terms and conditions.

4 MR. LINDGREN: And, Madam Chair, I  
5 believe that's it in terms of exhibits.

6 MADAM CHAIR: Thank you, Mr. Lindgren.

7 The Board just had a question to clarify  
8 from something Dr. Payne said yesterday, and you  
9 referred to the Canadian Wildlife Survey and the 1982  
10 data from 76,009 respondents across Canada and 14,000  
11 interviews in Ontario, and then you gave us another set  
12 of numbers for 10,000 interviews and 56,000  
13 respondents, what was that?

14 THE WITNESS: The entire study was  
15 repeated again in 1987, and in 1987 there were only  
16 56,000 cases in Canada and 10,000 in Ontario.

17 MADAM CHAIR: Thank you very much. The  
18 same subset of respondents as the first?

19 THE WITNESS: The same sorts of  
20 respondents, the same sample group, if you like, people  
21 over the age of 15 out of -- or just in the provinces  
22 and not living on Indian reserves.

23 MADAM CHAIR: But not the same  
24 interviewees in the 1982 study?

25 THE WITNESS: No.

1 MADAM CHAIR: All right, thank you.

2 Mr. Lindgren?

3 MR. LINDGREN: Thank you.

4 ROBERT PAYNE, Resumed

5 CONTINUED DIRECT EXAMINATION BY MR. LINDGREN:

6 Q. Dr. Payne, yesterday when we rose for  
7 the day we were at page 44 and 45 and we were  
8 discussing some of the elements of a comprehensive  
9 forest management and planning system.

10 And I believe we had finished the day by  
11 having you describe what you consider to be a broader  
12 cost/benefit analysis that needs to be done at the  
13 forest management -- or at the management unit level.

14 Now, going on to page 45 of the witness  
15 statement, you see in the first full paragraph an  
16 indication that:

17 "The Ministry of Natural Resources ought  
18 to make the three principles of the World  
19 Conservation Strategy the cornerstones of  
20 its policy for forest planning and  
21 management."

22 That's what we talked about yesterday  
23 afternoon?

24 A. Yes, right.

25 Q. And then just below that you say:

1 "Explicit goals and objectives in the  
2 forest plans are required for activities  
3 and uses based on non-timber values."

4 And can you explain very briefly what you  
5 mean by explicit goals and objectives for activities  
6 and uses based on non-timber values?

7 A. By those explicit goals and  
8 objectives what I'm talking about there is the setting  
9 out in the timber management plans the sorts of other  
10 uses of the area which will reflect the values that we  
11 have for those particular areas which can contribute to  
12 meeting the Ministry's overall mission statement of  
13 providing a broad range of social and economic benefits  
14 for Ontarians.

15 Q. And why is that necessary?

16 A. It's necessary if the Ministry is to  
17 follow its own philosophy, I think the Ministry calls  
18 it, of integrated resource management.

19 Q. Now, we received an interrogatory  
20 from NOTOA with respect to that paragraph, and I'm  
21 referring to Question No. 5 from NOTOA in Exhibit 1594.

22 MR. LINDGREN: That's the package of  
23 interrogatories I filed yesterday, Madam Chair.

24 Q. And Question No. 5 is on the first  
25 page. In question (a) NOTOA asked whether or not these



1 explicit goals and objectives ought to be only in the  
2 timber management plans or they should be -- or whether  
3 they should be expressed elsewhere.

4 And can you explain your answer to the  
5 Board?

6 A. I think, as I said yesterday, the  
7 goals and objectives for non-timber as well as for  
8 timber values ought to be expressed quite explicitly in  
9 the district land use plans, simply because that is the  
10 point I think at which the planning process most  
11 closely comes together and it is possible to actually  
12 do some integration and some tradeoffs and allocations  
13 based on cost/benefit analysis of the sophisticated  
14 kind that Mr. Lindgren had me talk about yesterday.

15 I think in addition to that, the issue of  
16 the non-utilitarian values, those principles of the  
17 World Conservation Strategy which don't lend themselves  
18 well to any formulation of cost/benefit analysis terms,  
19 ought to be overriding in the sense that they are found  
20 in forest policy, in the sense that they are found in  
21 Crown land management policy.

22 Q. To your knowledge are there any  
23 jurisdictions that set out those kinds of explicit  
24 goals and objectives in their planning documents?

25 A. Yes, certainly from what I've seen in

1 American natural forests, the U.S. Forest Service is  
2 required to do just that.

3 Q. And that is something that you would  
4 advocate for Ontario as well?

5 A. I certainly would.

6 Q. I would like to turn to Part III of  
7 your evidence which commences on page 46 of the witness  
8 statement, and this section is entitled Non-Timber  
9 Values and the Class Environmental Assessment for  
10 Timber Management.

11 Now, yesterday afternoon, Dr. Payne,  
12 you've indicated that non-timber values are values held  
13 by people, they're not site-specific features or  
14 segments of the landscape. You've also indicated that  
15 non-timber values can be translated into specific  
16 activities which in turn give rise to economic, social  
17 and individual benefits.

18 In your opinion, and speaking very  
19 generally here, can these non-timber values, activities  
20 and benefits be adversely affected by timber management  
21 activities?

22 A. Yes, they can.

23 Q. And could you offer a few examples?

24 A. Certainly the example that comes most  
25 quickly to mind is the example which is perhaps related

1 to the tourism industry, where the remote fly-in lodges  
2 and camps require a degree of insulation, I suppose you  
3 could say, from the development activity which is going  
4 on in other parts of the land base.

5 They require that because their customers  
6 come to those sites primarily for that sense of  
7 isolation and that sense of feeling that they are away  
8 from development, industrial operations and so on.

9 It's clear that if that feeling of  
10 remoteness - some people might call it wilderness I  
11 suppose - is not there, then those clients will not  
12 return, and those businesses will essentially cease to  
13 exist, I suppose, or at least specific businesses may  
14 fail.

15 Q. And why would that wilderness  
16 experience not be there as a result of timber  
17 management activity?

18 A. Well, I suppose there are any number  
19 of different wilderness sorts of definitions, but for  
20 the individuals who seek this kind of experience, the  
21 presence of the noise associated with timber  
22 operations, the site of clearcuts, the site for that  
23 matter of bridge crossings, and perhaps vehicles using  
24 the bridge crossings, all take away from that natural  
25 wilderness character that they expect to find there

1 and, consequently, these people are simply going to  
2 say: Well, look, perhaps we ought to go somewhere else  
3 to achieve this kind of experience.

4 MADAM CHAIR: Dr. Payne, in your view,  
5 are we able to accommodate in northern Ontario that  
6 sort of isolation for one group of users to the extent  
7 that the business will grow and, in fact, can become  
8 much larger than it is now, or is there a limitation,  
9 is there a finite aspect of that?

10 I mean, I suppose carried to its extreme,  
11 every lake in northern Ontario could be a remote  
12 tourist operator's area, that's not realistic and  
13 that's -- but the big question is, is there an  
14 accommodation like that, or do you have to start  
15 saying: Yes, you can have some of that?

16 THE WITNESS: Well, my view clearly is  
17 that, yes, we have to start saying that we can have  
18 some of that. I think the real base of any discussion  
19 of this has to be the idea that the Ministry of Natural  
20 Resources is charged with the responsibility of  
21 producing a wide range of social and economic benefits,  
22 and the forest industry does that, and I think too the  
23 tourism industry does it, and I think we have to find a  
24 way to accommodate both possibilities, because if we  
25 lose the benefits perhaps, both social and economic,



1 which come from having access to fly-in fishing and  
2 hunting opportunities, then we, in many cases, are  
3 losing those benefits, they are gone.

4 And the question of course is - it's a  
5 technical question - but are the benefits, social and  
6 economic, that are replaced by having the forest  
7 industry operate in such areas greater than or less  
8 than or equal to the sorts of benefits we have just  
9 lost.

10 And I think that that requires the kind  
11 of cost/benefit analysis that we have been talking  
12 about and it also requires, I think, a more  
13 sophisticated cost/benefit analysis, because certainly  
14 the social benefits that I and others have been  
15 advocating are much more difficult to deal with than  
16 are the economic benefits.

17 MR. MARTEL: Has anyone done any work  
18 with respect to determining the size of a buffer  
19 around -- what the size of a buffer should be around a  
20 remote wilderness lake. I mean, we have buffers, but  
21 they hardly will satisfy or meet the needs of this type  
22 of operation and, I don't know -- do you know if any  
23 work has been done?

24 THE WITNESS: Yes, I do. I can't give  
25 you a specific reference, but I think in general terms

1     what I can tell you is this: That there have been some  
2     studies done by landscape architects in the United  
3     States, usually working with the Forest Service, and  
4     what they found is that the size of the buffer perhaps  
5     needs to vary, at least with the nature of the cover,  
6     the nature of the vegetation.

7             Some vegetation, for example, is so dense  
8     that you can't see through it, you can't see into  
9     beyond perhaps 30 feet; on the other hand, other areas,  
10    and I guess I have in mind here the kind of ponderosa  
11    type forest that you get in the highlands of Colorado,  
12    is so open that you can see perhaps hundreds of metres,  
13    perhaps miles, kilometres. So clearly that is a  
14    variable that is important.

15            The other important variable, of course,  
16    here is the viewer. For some people seeing industrial  
17    operations such as timber operations through a  
18    relatively open forest will not be terribly disruptive;  
19    but for other people, perhaps those who might be  
20    described more as wilderness enthusiasts, whether  
21    they're there at a remote lodge or whether they're  
22    there back country canoeing or hiking, these sorts of  
23    sites have a much more disruptive effect and can  
24    effectively displace those kind of people from the  
25    area.

1 MR. LINDGREN: And, Mr. Martel, I can  
2 indicate that in terms of setting aside or identifying  
3 areas or the size of areas that should be set aside for  
4 other uses, for example tourism uses, Dr. Payne will be  
5 discussing in a few moments a tool that is currently  
6 used to do that, and I think that we can pick up the  
7 conversation at that time, because I think it will  
8 bring home Dr. Payne's point.

9 Q. Dr. Payne, in your opinion, is there  
10 a need to explicitly manage the Crown forests of  
11 Ontario for non-timber values?

12 A. Yes, there certainly is.

13 Q. And why is that?

14 A. Because they are capable, the Crown  
15 forests, of delivering quite a wide range of benefits,  
16 both social and economic, and the public of Ontario  
17 seems to have ideas about what it would like to do with  
18 those Crown forests - although perhaps we could use  
19 more data on that - and if the Ministry is to carry out  
20 its function, meet its mission statement, then I don't  
21 see that it has any choice but to manage for that broad  
22 perspective.

23 Q. Having said that, Dr. Payne, is the  
24 Ministry's present management planning system capable  
25 of dealing effectively with non-timber values as you

1 define them?

2 A. No, I don't think it is. It strikes  
3 me as a very strange kind of system. Back at the time  
4 the whole strategic land use planning process was  
5 unfolding, I was told that the planning system, the  
6 management system which is presently - was used then  
7 and I think is still in place - was picked up kind of  
8 off the shelf from the Harvard Business School, and  
9 this caused me to think that perhaps the same  
10 management system is being used by private sector  
11 companies producing toothpaste or things such as this.

12 I think that the kind of work that the  
13 Ministry of Natural Resources has to do is rather  
14 different than producing toothpaste, although I suppose  
15 in producing volumes of timber there is certainly a  
16 definite production orientation there, but the Ministry  
17 is also required to protect endangered species, for  
18 example, it's also required to protect and to provide  
19 recreation opportunities, which are much more  
20 intangible than are either volumes of wood or  
21 toothpaste for that matter, and I think that the system  
22 as it exists at the moment can't do that.

23 The Ministry is still, in spite of its  
24 claims to being able to -- or claims of commitment to  
25 an integrated resource management philosophy or method,



1 is still a functional planning agency. By that I mean  
2 that you can trace through the Ministry down its  
3 functional lines for timber, for parks, for fisheries,  
4 for wildlife, a set of -- a decision-making structure  
5 that is insulated I think from the other program areas,  
6 and I think that is pushed, it's encouraged in a sense  
7 by the fact that there exists existing pieces of  
8 legislation such as the Crown Timber Act, such as the  
9 Game and Fish Act, which are almost like enabling  
10 legislation for each of these functional areas.

11 And that means, I think, that those  
12 functional areas virtually have a life of their own,  
13 that it's very difficult to somehow tie them together  
14 at any stage in the Ministry's management system.

15 Q. Is it your view that these other  
16 statutes that you've referred to; namely, the Crown  
17 Timber Act, the Game and Fish Act, perhaps the  
18 Provincial Parks Act, is it your view that that kind of  
19 specific legislation reinforces the functional  
20 specialization that you've described?

21 A. Yes, I think so. None of those acts  
22 are particularly demanding in terms of requiring  
23 anything close to integrated resource management, in  
24 fact, one could almost consider here that these acts  
25 and these particular administrative functions are kind

1 of like the long tubes that Christmas wrapping comes,  
2 in that the Ministry's view of reality is through those  
3 long tubes and that to me, at any rate, is how it looks  
4 that the Ministry has dealt with such issues as  
5 non-timber values.

6 I think that if the Ministry is serious  
7 about putting in place integrated resource management  
8 in relation to timber, for example, that it will  
9 require probably something like a new forest management  
10 act, a new piece of legislation that sets out quite  
11 clearly and specifically and requires the Ministry to  
12 function as an integrated resource management agency.

13 In my experience with the U.S. Forest  
14 Service, one can see that quite clearly, it required  
15 the 1976 National Forest Management Act to require --  
16 to put the ministry or to put the Forest Service in  
17 line and say: Right, this is what you have to do,  
18 these are the things you have to look at, if you don't  
19 do that, you are going to be in trouble.

20 And until we are prepared to do that, the  
21 same sort of thing, I don't think that the Ministry's  
22 commitment to integrated resource management through  
23 its management system can be anything more than perhaps  
24 program integration at best.

25 Q. And program integration is not the

1 equivalent of integrated resource management?

2 A. Not at all. No, not at all. I think  
3 integrated resource management has to be seen in the  
4 same way that just plain resource management is; one  
5 has specific objectives for those resources, one tries  
6 to choose the best means to get to those objectives,  
7 and one tries to make sure that the benefits that one  
8 has in mind from those resource management activities  
9 actually come to fruition.

10 Integrated resource management to me  
11 requires that all that cost/benefit analysis goes on,  
12 but at the top there are tradeoffs, there are  
13 allocations, so that we achieve the best mix of land  
14 uses, of resource uses and of, for that matter,  
15 protective measures.

16 Q. And, Dr. Payne, I understand that  
17 you've reviewed the Ministry of Natural Resources Panel  
18 1 which provided an overview of the proponent and its  
19 management structure, and their Integrated resource  
20 management was expressed as a philosophy and has  
21 apparently been entrenched as policy.

22 Should integrated resource management be  
23 policy based or legislatively based?

24 A. I think that if it's going to mean  
25 anything in terms of what happens in the real world, it

1 has to be legislative based.

2 Q. Now, turning to page 47 of your  
3 witness statement, under the heading of The Limits of  
4 Bureaucracy, you've described the Ministry of Natural  
5 Resources as a bureaucracy.

6 And very briefly, can I ask you to  
7 explain to the Board what you mean by this and can you  
8 indicate what the implications of bureaucracy are for  
9 non-timber values?

10 A. I mean no slight to the Ministry by  
11 calling it a bureacracy, I mean that term has a kind of  
12 pejorative connotation to it now that I think is  
13 unfortunate.

14 It is a technical term in terms of  
15 organizations and it refers to agencies that, first of  
16 all, are structured in a hierchial fashion; that is,  
17 usually they have several, many perhaps, layers and  
18 usually as one goes toward the top of the organization  
19 the number of individuals found there is fewer and  
20 fewer, but there is also a division of labour, so to  
21 speak, between the top and the bottom. At the top is  
22 where policy is established and at bottom, in this case  
23 in the field in the Ministry district offices, is where  
24 that policy is actually delivered or implemented.

25 That's certainly one characteristic of



1       bureacracies. Another characteristic is that  
2       bureaucracies tend to simplify their operating  
3       environment, they tend to try and, I guess, get a box  
4       around that particular part of the operating  
5       environment so that they can do, or so that it can do  
6       the same sorts of things there as possible, or as often  
7       as possible.

8                       This is seen in typical sort of standard  
9       operating procedures that bureaucracies have, as well  
10      as procedures and directives and so on that individuals  
11      are required to follow through on.

12                      Now, one can understand, I suppose, why  
13      it would be necessary to simplify the operational  
14      environment of an area like the boreal forest or, for  
15      that matter, Ontario, but what that simplification does  
16      is two things; one, it slows down the response time  
17      proposed by the Ministry or imposed on the Ministry;  
18      and, two, it tends to filter out things from the real  
19      world that may have changed.

20                      My point here, I suppose, throughout my  
21      entire evidence is that people in Ontario, the values  
22      of people in Ontario have changed in many ways, they  
23      have expanded, they have deepened, they have broadened,  
24      and they have changed in relation to the area of the  
25      undertaking for which the Ministry of Natural Resources

1 has responsibility.

2 The bureaucratic structure I think of the  
3 Ministry has made it very difficult for it to keep up  
4 with those changes and that is a significant issue here  
5 because, again, it goes back to the whole matter of  
6 trying to meet the requirement to produce social and  
7 economic benefits for Ontarians. How is that possible  
8 if the Ministry doesn't know what Ontarians are feeling  
9 or desiring from the natural environment.

10 So the management system as it exists, as  
11 a bureaucracy, tends to work against that connection to  
12 the real world and tends to work for the kind of  
13 analogy I presented to you earlier. The Ministry,  
14 through its program areas, scrutinizing reality through  
15 that long tube. That's reality to the Ministry and, of  
16 course, to you and I, I hope, that is not reality or  
17 that's not enough of reality to manage such a broad  
18 area of the province such as this.

19 I think too that there's a tendency for  
20 bureaucracies to become inward looking, to become more  
21 administration oriented than management oriented, and I  
22 like to make the analogy of the Ministry, or perhaps  
23 any bureaucracy, in this way; of being like a ship:  
24 The ship is well fueled, it's in good shape, the  
25 engines are finely tuned, there is a good crew on

1 board, but there's no captain, there's no one on the  
2 bridge, and without that captain on the bridge, without  
3 the manager managing the way managers are supposed to,  
4 then there is no real way that the ship can avoid the  
5 rocks or, for that matter, even go in the direction  
6 it's supposed to go in.

7 In order to do that kind of management,  
8 the Ministry or any other bureaucracy has to have eyes  
9 out into the real world, has to be connected to the  
10 real world, and I don't think that's happening; it's  
11 not happening in the Ministry, and it typically doesn't  
12 happen in bureaucratic organizations.

13 If it were the case that the social  
14 environment in Ontario hadn't changed in perhaps 30 or  
15 40 or 50 years, if it were not the case that many  
16 Ontarians now feel very strongly about the natural  
17 environment in virtually every way, from using it to  
18 knowing that it's there perhaps if they ever want to  
19 use it, then perhaps a bureaucratic way of operating  
20 would be acceptable.

21 But that's not the case, and it's  
22 necessary for the Ministry to be aware of what's going  
23 on out there, and its bureaucratic organization at the  
24 moment is interfering with that, it's a barrier to  
25 that.

1                   Q. Aside from the bureaucratic structure  
2 of the Ministry of Natural Resources, Dr. Payne, is the  
3 fact that the Ministry is one of the main players in  
4 land use planning in northern Ontario, does that fact  
5 have any bearing on its protective role that you've  
6 described and does it have any bearing on the  
7 management and protection of non-timber values?

8                   A. Well, it seems to. On the surface of  
9 it it would appear that the Ministry should be able to  
10 do a better job in the northern part of the province on  
11 Crown land than it does in the southern part of the  
12 province.

13                   In the south the Ministry is but one  
14 player in a fairly wide range of players, many of whom  
15 are more powerful than the Ministry; but in the north,  
16 the Ministry really is king of the hill, there are very  
17 few organizations -- there are virtually no  
18 organizations in northern Ontario who have the  
19 Ministry's power in terms of deciding what happens on  
20 Crown land.

21                   One would expect then that it should be  
22 possible for the Ministry, without the distractions or  
23 the difficulties posed by having to deal with other  
24 government ministries, without having to deal with  
25 local government, for example, as they do down here in



1 the south, to get on with its business and to get on in  
2 an effective manner.

3 But that doesn't seem to be the case; it  
4 seems that in the Ministry -- or in the north rather,  
5 that the Ministry doesn't function as well as it does  
6 in the south. One can find examples, for example, in  
7 the south where the Ministry has acted as an advocate  
8 for the protection of endangered species, for the  
9 protection of cold water streams.

10 While one can see this kind of thing  
11 going on in the north, one gets the impression that  
12 there are other agendas in the north that are far and  
13 away more important than all of that. Very, very  
14 different sort of situation and a somewhat surprising  
15 one.

16 From a straight-out management point of  
17 view, it should be easy to manage it, given the wide  
18 range of control. It doesn't seem to be the case.  
19 easy in the sense of producing good products, I mean.

20 Q. Now, on this subject, I understand  
21 that you wanted to refer to the exhibit that we filed  
22 yesterday, the document entitled: Designing a Program  
23 of Change for the Ministry of Natural Resources.

24 MR. LINDGREN: This is Exhibit 1597,  
25 Madam Chair, and it's the document prepared by the

1 CRESAP Consulting Company for the MNR and it's dated  
2 April, 1989.

3 Q. Dr. Payne, do you have a copy of that  
4 document?

5 A. Yes, I do.

6 Q. I understand there are a number of  
7 comments and recommendations that you would like to  
8 highlight for the Board?

9 A. Yes, I would. Madam Chair, Mr.  
10 Martel, if you could turn to page 4 of the document,  
11 the second dot there:

12 "There is growing concern inside the  
13 Ministry that the field and main office  
14 are drifting apart and that the barriers  
15 to cross-fertilization of people, ideas  
16 and issues are increasing."

17 I think this is moving toward the point  
18 that I made earlier concerning the functional  
19 specialization within the Ministry and the difficulty  
20 that the Ministry has in moving ideas and, for that  
21 matter, information from one functional area of the  
22 Ministry to another.

23 Q. And how does that affect integration  
24 of resource management?

25 A. It makes it very difficult, if not

1 impossible. If we move on to page 6, right in the  
2 middle in the bold type:

3 "Although a matrix organization is  
4 required at MNR, the superstructure built  
5 around the matrix is causing problems."

6 My understanding here is that the  
7 superstructure that the consultant is referring to is  
8 the -- or are the functional areas of the Ministry, and  
9 those functional areas of the Ministry are not talking  
10 together.

11 The idea of a matrix organization is that  
12 the matrix will allow you to go up if you need to go  
13 up, but it will allow you to go side to side if you  
14 need to go side to side. Obviously the side to side  
15 here is from one functional area of the Ministry to  
16 another functional area of the Ministry.

17 So the matrix organization model, if you  
18 like, provides the opportunity to maintain the existing  
19 chain of command but also the opportunity to cross  
20 functional lines and, under those circumstances,  
21 achieving the kind of integration, even the limited  
22 sort of integration that the Ministry talks about in  
23 terms of program areas is much more likely.

24 MR. MARTERL: Is that because people tend  
25 to build empires? I'm not suggesting that specifically

1 with MNR, but in the type of bureaucracy you're talking  
2 about, is there a tendency that in his line -- vertical  
3 line that each is in, that the guy at the top is trying  
4 to build his own empire and he doesn't really want to  
5 get involved with the guy next door sort of approach?

6 THE WITNESS: I think, Mr. Martel, that  
7 that's quite true. There's a lot of that going on,  
8 even in my own operating environment at the University  
9 there's a good deal of that going on.

10 I once read a book that was about the  
11 U.S. military and I think it's involvement in Cuba and  
12 the U.S. military, of course, is more or less  
13 bureaucratically structured, but I always remember one  
14 particular summarization of essentially what you're  
15 talking about, and the individual who wrote the book  
16 described individuals who are empire builders as  
17 essentially engaging in bureaucratic free enterprise.

18 It's a strange concept, but I think it  
19 adequately talks about what you're saying.

20 MR. COSMAN: Madam Chair?

21 MADAM CHAIR: Mr. Cosman?

22 MR. COSMAN: I may have missed this and,  
23 if so, I apologize to Mr. Lindgren, but is this witness  
24 the author of the Exhibit 1597 or or is he commenting  
25 on the paragraph here and there just as a witness? I



1 don't know.

2 MR. LINDGREN: The latter, Mr. Cosman,  
3 he's not an author in this document.

4 MR. COSMAN: Thank you.

5 MR. LINDGREN: Q. And, Dr. Payne, I  
6 understand that you wanted to comment on the Exhibit 1  
7 found on the next page?

8 A. That's right, the immediate next page  
9 to that. I would like to draw your attention, Madam  
10 Chair and Mr. Martel, to the left side of the exhibit  
11 where clients and customers are seen to be connected in  
12 some way to the Ministry of Natural Resources.

13 You can see below there that these  
14 clients and customers are characterized as being more  
15 sophisticated and complex. I think that we will  
16 present further evidence later on to show that.

17 The customers are wanting more demanding  
18 relationships, more demanding from the Ministry; and,  
19 as I said earlier, the customers and clients have a  
20 greater concern over matters of the environment.

21 Clearly here what the consultant is  
22 suggesting is that the Ministry is dealing with clients  
23 that have changed and have, I think, broadened and the  
24 kind of concerns, issues I suppose that clients and  
25 customers have have additionally broadened.

1                   If we could flip to the next page, page  
2                   7, I would like to call your attention to Item Roman  
3                   numeral (iv) toward the bottom of that page.

4                   "As the environment and the demand on the  
5                   organization change, functional  
6                   structures have remained the same,  
7                   failing to adapt to evolving needs. As a  
8                   result, units continue to exist because  
9                   they have always existed and activities  
10                  continue to be performed because they  
11                  have always been performed."

12                  That may be somewhat harsh in relation to  
13                  the Ministry of Natural Resources, but I think in  
14                  general it's a fair comment and certainly is in line  
15                  with what I had to say in the witness statement  
16                  concerning the Ministry as a bureaucratic organization.

17                  Page 8 and the top of page 9, the very  
18                  bottom of page 8 under a general heading at the top of  
19                  that page, page 8, it talks about::

20                  "The processes and systems in place to  
21                  integrate and coordinate are not meeting  
22                  Ministry needs."

23                  The consultant at the bottom says:

24                  "The committee system in MNR was designed  
25                  as a powerful integrating and

1 decision-making mechanism highly valued  
2 and endorsed across the organization,  
3 however, both the standing, interlocking  
4 ad hoc committee systems have evolved in  
5 highly formalized and slow-moving  
6 structures that must attempt to clear  
7 issues that are not dealt with through  
8 the normal accountability structure of  
9 the organization.

10 In many instances the organization can  
11 outweigh the committee system and stall  
12 action if it's not fully outset."

13 It goes on, but the point here is that,  
14 again, the bureaucratic nature of the organization is a  
15 concern here and, in the consultant's terms, the  
16 failure of the Ministry to operationalize the matrix  
17 management structure which would make resource  
18 management integration or program integration a  
19 possibility.

20 Page 10 under the general heading of  
21 Section III, The Best Bets and Benefits, the second  
22 paragraph under the bold heading, The Program Group  
23 Should be Refocused and Streamlined, the consultant  
24 comments.

25 "Through our policy case studies as well

1 as our exposure to the program groups, we  
2 found that current approach to policy  
3 development and integration to be slow  
4 moving, unreliable and time consuming.  
5 Although the ultimate quality of the  
6 policy and programming output is not in  
7 question, the inability of the program  
8 groups to clear issues and agree on new  
9 directions rapidly is cause for concern.

10 There are large and somewhat  
11 isolated main office program groups that  
12 are under delivering on their policy  
13 leadership and functional support  
14 responsibilities.

15 Equally, the dissemination and  
16 integration of research output through  
17 the Ministry is weak as the program  
18 groups are not consistently able to match  
19 the research agenda with the needs of the  
20 front-line operations."

21 Again, I think what the consultant is  
22 suggesting here is that the current bureaucratic  
23 structure is a definite impediment, an impediment even  
24 to trying to understand what's going on in the real  
25 world and an impediment to sharing the kind of research



1 that I'll talk to you later about with other units in  
2 the Ministry which could use that information.

3 Page 11, under the general heading that,  
4 The Management and Supervisory Structures of the  
5 Ministry Should be Flattened. I would like to call your  
6 attention to Item 3 in that section.

7 "Ministry should evolve to a  
8 teamwork-based organization. An  
9 important step in becoming a flatter  
10 organization is learning to move from  
11 concepts of supervisory span of control  
12 to concepts supervisory sphere of  
13 influence.

14 Gradually Ministry management  
15 and supervisory relationships must  
16 move from controlled oriented work  
17 supervision to results oriented team  
18 management.

19 The shift is consistent with the  
20 cultural pre-conditions in the Ministry  
21 that value teamwork and cooperation."

22 I think that's an important issue and I  
23 think it's one that Dean Baskerville had spoken to as  
24 well in his audit where he talked about the importance  
25 of making the unit forester more responsible in the

1 district level.

2 I think, in addition to that, it's  
3 something that I would like to address later because it  
4 seems to me that there is a good case to be made for  
5 devolving not only some of the program responsibility  
6 down to district levels, but also some of the  
7 decision-making authority down to the district levels;  
8 it's closer to the ground, it's closer to the issues,  
9 it's closer to the people that are likely to be  
10 stakeholders, and I think it would involve -- or would  
11 end up having better decisions, better plans.

12 Over to page 12, the top of the page the  
13 first dot the consultant is suggesting a number of  
14 changes that might be undertaken by the Ministry and  
15 suggests:

16 "Breaking down the rigidity of the  
17 functional structure across the district  
18 would be an important part of  
19 rationalizing the field and creating more  
20 flexible operations.

21 The Ministry must find ways to create  
22 greater integration across the programs  
23 at the field level through more  
24 integrated planning and broadening of  
25 staff roles."

1 Q. Do you agree with that particular  
2 recommendation?

3 A. Yes, I certainly do. It seemed to me  
4 it's consistent with what I said in relation to over  
5 the page, it's consistent too with what Dean  
6 Baskerville has said, and I think that it would allow  
7 the kind of integrated planning that the Ministry  
8 aspires to.

9 Page 14, the top part above the Benefits  
10 Section, the second paragraph. I would like to call  
11 your attention to the sentence beginning:

12 "Upgrading information systems  
13 capabilities, both in terms of people,  
14 resources and capital technology, should  
15 be a major strategic thrust for the  
16 Ministry over the next three to five  
17 years."

18 MADAM CHAIR: I have lost you, Dr. Payne,  
19 sorry.

20 THE WITNESS: Oh, sorry. Page 14, the  
21 top of that page, the bold section is High Priorities  
22 Should Be Placed on the Development of Improved  
23 Ministry Systems. The second paragraph there and --  
24 well, essentially the second sentence.

25 I think that you will have, or you have

1 and you certainly will have heard more about the  
2 importance of information systems within the Ministry  
3 if it's to do the kind of job that we would like it to  
4 do but, in addition here, I think that it's an  
5 important point to note that the consultant is  
6 suggesting that we really need to have people who are  
7 capable of handling that information and making it  
8 available to the people in the field who will have to  
9 use it for timber management planning activities.

10 I think I would like to call your  
11 attention as well to the second dot on the same page  
12 under The Benefits. The consultant is suggesting that  
13 these effectiveness improvements he's described above  
14 justify a program of change for the Ministry regardless  
15 of any financial savings available.

16 "The time is right to realign the  
17 Ministry in a single direction and to  
18 regain control over the task of  
19 integrated resource management.

20 In addition, the need to refocus the  
21 organization on excellence in policy  
22 development and customer service is very  
23 great as the Ministry becomes a more  
24 visible partner in the resource  
25 community."



1                   Clearly, here again he's suggesting the  
2                   importance of connecting with those clients and  
3                   customer groups that he showed us back in his diagram  
4                   earlier on, and he's also talking here again about  
5                   reducing the barriers in the Ministry, in just straight  
6                   structural terms to having individuals and program  
7                   areas in the Ministry interact.

8                   Q. And, Dr. Payne, I take it that you  
9                   endorse these comments?

10                  A. Yes, again, I do. They are the  
11                  things that are going to be necessary if the Ministry  
12                  is to do what it says it wants to do in terms of  
13                  integrated resource management.

14                  Last, I think I call your attention to  
15                  page 16 of the report. The bottom section there under  
16                  the bold heading, Basic Systems and Processes Need to  
17                  Support Policy Operations and Administration, and the  
18                  consultant says that:

19                         "We recommend that the policy following  
20                         processes and systems be revised or  
21                         upgraded to meet the new needs and  
22                         capabilities of the Ministry."

23                  Note here that that the processes and  
24                  systems include strategic planning, policy development,  
25                  research integration, and over the page on page 17,

1 management information.

2 And again, I agree wholeheartedly with  
3 the consultant. I think that were the Ministry to do  
4 the sorts of things that the consultant is suggesting  
5 that the Ministry do, it would be far better able to  
6 deal with the issues that I'm addressing; namely,  
7 non-timber values in its timber management activities.

8 Q. And why is that?

9 A. Because it would be an organization  
10 which would have a less focused approach on its  
11 individual program areas, it would be an organization  
12 that would be aware and in tune with the demands placed  
13 upon it by the very heterogeneous Ontario public, it  
14 would be an organization which put the authority for  
15 making decisions closer to where those decisions are  
16 actually going to be implemented and, therefore, it  
17 would be capable of having definite first-hand input  
18 from individuals who are going to be affected by those  
19 decisions.

20 Q. And on that point I would like to  
21 refer you to NOTOA Question No. 8 in the interrogatory  
22 package. Again, this is Exhibit 1594.

23 Question No. 8 is found at the second  
24 page of that package, and there you were asked a  
25 question for -- or you were asked to provide examples

1 or suggestions to improve the bureaucratic structure  
2 and ability to manage resources and values. And can  
3 you explain your answer to the Board?

4 A. Yes. I have said that authority and  
5 responsibility for FMU and for general resource  
6 management activities in the Ministry ought to be put  
7 at the district level. This would involve, I think, a  
8 devolution of decision-making authority and would put  
9 authority and responsibility for the decisions at the  
10 district level.

11 That means that the decision-making  
12 process, I think, is streamlined because the decisions  
13 are made closer to the ground. It also means, I think,  
14 that the decision-makers on the ground are more in tune  
15 with the concerns, the immediate concerns of some of  
16 the other individual users of Crown land in the area of  
17 the undertaking with whom they have perhaps already  
18 ongoing relationships.

19 Q. You made a distinction in your answer  
20 between authority and responsibility. What do you mean  
21 by that difference?

22 A. What I mean is, is that authority  
23 implies to me the capability to make the decision, to  
24 say, this is how it will be; responsibility means to  
25 me, at least in the context of the districts, of

1 following through on those decisions. Put the two of  
2 them together and I think you've got a fairly powerful  
3 package; separate them and you've got a bureaucracy.

4 MR. MARTEL: Can I ask a question. Don't  
5 you think the Ministry does take the position that, in  
6 fact, the district office does the planning for the  
7 area as opposed to -- they might get some authority or  
8 approval from above, but don't you believe that that is  
9 what MNR's position is in this whole hearing?

10 THE WITNESS: No, I don't think it is,  
11 and I think if you look back to the strategic land use  
12 planning process in the present DLUGS you can see  
13 evidence of that.

14 The strategic planning and the DLUGS that  
15 came out of that eventually were based on  
16 program-specific targets that were then put into the  
17 district land use guidelines, and those are the things  
18 that the Ministry is required to achieve or is striving  
19 to achieve. It remains to be seen if they all can be  
20 achieved.

21 Those targets that are relevant to each  
22 particular district are, I suppose, a component of a  
23 broader regional and province-wide kind of target that  
24 was not set at the district level but was set at the  
25 central office level. I mean, what we are talking



1 about essentially here, in this planning model, is a  
2 top-down kind of approach, and I think while there is  
3 real need to have the kind of direction, especially the  
4 strategic direction that comes with a top-down kind of  
5 approach, I think that needs to be balanced by the  
6 reality of the area that we're dealing with here.

7 Things are not the same in Kenora as they  
8 are in Wawa, they are not the same in Wawa as they are  
9 in Kapuskasing, and it's necessary somehow to build in  
10 that separate reality from one part of the province to  
11 the other part of the province, and the DLUGS don't do  
12 that.

13 MR. LINDGREN: And, Mr. Martel, I believe  
14 that Dr. Payne's evidence on this point will be  
15 illustrated when he discusses the Lake of the Woods  
16 General Land Use Plan, and when he contrasted that with  
17 the district land use guidelines, I think his comments  
18 about the top-down planning and the need to locate  
19 authority and responsibility at the unit level will be  
20 more clear.

21 MR. MARTEL: I think my concern, Mr.  
22 Lindgren, is that in the answer it's: 'locate  
23 authority and responsibility for forest management and  
24 district resource management planning at the district  
25 office', and that conveys with it the decisions for,

1 for example, the timber management plan aren't made at  
2 the district office level.

3 I think the information we have received  
4 to date is that basically that is what happens and then  
5 it goes up the line if someone wants to object to it or  
6 for approval or a deviation you can go up the line, but  
7 that essentially most of that is done at the unit  
8 level.

9 MR. LINDGREN: That's right. But I think  
10 Dr. Payne's evidence --

11 MR. MARTEL: He's taking it further than  
12 that, he's talking about the development of the  
13 district guidelines which in fact somebody gave you a  
14 number and said go out and achieve it, and that nothing  
15 really rests with you - I think that's what he's  
16 saying - in the final analysis, you simply have to do  
17 what you are told and find the wherewithall, if  
18 possible, to deliver 5,000 moose.

19 THE WITNESS: That is what the DLUGS mean  
20 to me.

21 MR. MARTEL: I'm just trying to get that  
22 straight. Thank you.

23 MR. LINDGREN: Q. Returning to Question  
24 No. 8, Dr. Payne, I am again referring to answer (b),  
25 after you've indicated authority and responsibility

1 should be at the unit level, you have also said that  
2 the entire planning process should be open to public  
3 involvement.

4 And I think, picking up on Mr. Martel's  
5 point, I think the Ministry might suggest to you that  
6 it is open to the public. Can you comment on that and  
7 can you comment on what you mean by opening up the  
8 planning process to public involvement?

9 A. Yes, I can. I don't think that the  
10 planning process at the moment is anywhere near to  
11 being as open as it could well be. Essentially the  
12 openness as it currently exists is an opportunity for  
13 the public to comment on essentially directions that  
14 have been established and, in some cases, plans that  
15 have been drafted.

16 I think that by making the planning  
17 process more open, what I mean, is that the public or  
18 interested members of the public or local people,  
19 representatives of environmental organizations, however  
20 you want to cut it, ought to be involved at a far  
21 earlier level. By that, I mean at the level of talking  
22 about objectives for the plan, at the level of looking  
23 at the alternatives to achieve those objectives in the  
24 plan, at the level of deciding which is the best course  
25 of action to achieve those objectives, and at the level

1 to determine or to monitor or evaluate how well the  
2 plan is actually achieving those objectives.

3 That is a tall order I think for members  
4 of the public to take on, but I think there are members  
5 of the public out there that are willing to do that,  
6 and there certainly are ways that it can be structured  
7 in the planning process, can be structured to allow  
8 those kind of things to happen.

9 Q. And again, can I ask you: Are there  
10 any jurisdictions that currently employ that kind of  
11 approach in terms of public involvement at early stages  
12 of the planning process?

13 A. Yes and no. The U.S. Forest  
14 Service - again, I keep coming back to that - but the  
15 U.S. Forest Service is moving, I think, in the right  
16 sort of way here. The Forest Service has found that in  
17 areas of its jurisdiction that have been formally, that  
18 the Wilderness Act designated as wilderness, it's been  
19 necessary to put together a planning team composed of,  
20 for example, representatives of the Sierra Club or the  
21 Wilderness Society of the United States, local  
22 outfitters and outfitters association who have an  
23 economic stake in using the area, people such as this.

24 And what the Forest Service has been able  
25 to do by bringing these people on side at a very early



1 time in the planning process is to develop a plan on  
2 essentially a consensus model; in other words, the  
3 process building consensus as it goes through, rather  
4 than builds a plan as it goes through and deals with  
5 the flack and hope for a consensus at the end of the  
6 term.

7 The Forest Service is by no means without  
8 its difficulties in this sort of thing, and those of  
9 you who are familiar with the Forest Service will know  
10 that any national forest plan regularly gets any number  
11 of complaints from any number of different interest  
12 groups, but where this particular approach has been  
13 tried it's been found to be very successful and it's  
14 given people an opportunity to be involved right from  
15 the start.

16 And that has meant that people themselves  
17 at the end of the planning process have been able to  
18 put their stake out on the table and get it into the  
19 plan and that they come away with a feeling almost of  
20 ownership of the plan.

21 The other aspect that I think is  
22 important to point out here is that the process is so  
23 open that how decisions are made are obvious to  
24 everyone, that there are no black boxes into which one  
25 from the outside can't see, that the people know how

1 decisions were made, they appreciate the tradeoffs  
2 perhaps that have been made, and they are on side with  
3 them.

4 MADAM CHAIR: Dr. Payne, did you have an  
5 opportunity to look at the proposed timber management  
6 planning process put forward by the Industry at this  
7 hearing?

8 THE WITNESS: I haven't yet. I have only  
9 seen the sort of boiled down version of it in the  
10 newspaper.

11 MADAM CHAIR: Well, essentially the  
12 Industry put before the Board the idea that  
13 stakeholders should be involved a year before a plan is  
14 actually drafted, and presumably they would be involved  
15 in the sorts of activities that you have just outlined  
16 with respect to looking at alternatives and that sort  
17 of thing.

18 Do you think a year of pre-planning  
19 involving stakeholders before you actually come out  
20 with a draft document is a sufficient amount of time to  
21 build that kind of consensus?

22 THE WITNESS: As we stand right now, I  
23 don't know, I couldn't say that a year is a good number  
24 or a bad number.

25 MADAM CHAIR: How long do they take

1 typically in one of the national forest plans, do they  
2 start weeks in advance or months?

3 THE WITNESS: That's what I was going to  
4 add. The sort of context of the public involvement is  
5 so different there.

6 The Forest Service is required under the  
7 National Forest Management Act to set out to produce  
8 this wide range of benefits that may be available from  
9 the national forest area. There is no possible way  
10 that, as an organization, the Forest Service can avoid  
11 doing that. So that means that right off the bat the  
12 tradeoffs amongst the various benefits and amongst  
13 various uses that might be made of the national forest  
14 are part of the rules of the game.

15 I am not sure that if we ran our timber  
16 management planning process as we do now and gave  
17 stakeholders a year to be involved whether we would get  
18 much different out at the end. To me the process is  
19 still primarily oriented toward timber production, it's  
20 a functional process, part of the Forest Resources  
21 Branch of the Ministry, and non-timber values, as I've  
22 said elsewhere, are essentially seen to be constraints  
23 to the production of timber.

24 If over the course of that year, or two  
25 years, or six months, or whatever number came up, that

1 view of the primacy of timber was maintained, then I  
2 don't think that a year or six months or 18 months  
3 would really make much difference in terms of the  
4 decision that came out at the end.

5 MR. MARTEL: I was going to simply ask a  
6 similar question, whether or not he had compared the  
7 two programs and ask his comment on the differences.

8 I think the Industry's goes a little  
9 further than that in that before any planning starts  
10 even -- I mean, they are envisaging people being  
11 involved from square one, as I understand it, and  
12 having an opportunity to comment, discuss - and I guess  
13 they would have to win their points with Industry as  
14 they went along - but I think that's where it differs  
15 from MNR's where the plan is already -- the draft plan  
16 is already basically written or formulated in  
17 somebody's head before the public really is involved.

18 THE WITNESS: Yeah. May I sort of add  
19 one more thing to that. I think in that --

20 MR. MARTEL: I see the Ministry people  
21 going -- when I talk about almost formulated in their  
22 head, I mean they know the direction they want to go  
23 and so on, I mean, all the nuts and bolts aren't in  
24 place yet.

25 But I guess what I'm merely saying is,



1 there's a lot more involvement under the other plan  
2 before as compared to the MNR's proposal.

3 MS. BLASTORAH: Perhaps I could --

4 MR. MARTEL: Which has an open house and  
5 so on.

6 MS. BLASTORAH: Perhaps I could just  
7 clarify, Mr. Martel, and I don't want to take a lot of  
8 time from Mr. Lindgren's evidence, but it's not the  
9 Ministry's position that the public first becomes  
10 involved after the plan is even in draft stage.

11 Certainly the public's -- the invitation  
12 to participate goes out before anything, including the  
13 objectives or anything, in the plan are set--

14 MR. MARTEL: Yeah.

15 MS. BLASTORAH: --at the local level.

16 MR. MARTEL: But you would agree, Ms.  
17 Blastorah, that the Industry's is somewhat -- takes  
18 it -- goes back somewhat further in a direct attempt to  
19 try to get people involved much more -- much more  
20 involved than what the MNR's plan does.

21 MADAM CHAIR: I don't think Ms. Blastorah  
22 has to agree to anything. But we have your evidence,  
23 thank you, Ms. Blastorah.

24 MR. MARTEL: Well, we're just trying to  
25 get some understanding.

1 MS. BLASTORAH: Thank you.

2 MR. LINDGREN: Q. I think I can  
3 illustrate the difference between Dr. Payne's evidence  
4 and the Ministry approach and even the Industry  
5 approach with this question.

6 When you are talking about early  
7 involvement of the public in the planning process,  
8 you're not - not to be leading - do you think that the  
9 public should be involved not only in the drafting of  
10 the plan or even the pre-planning stages, should the  
11 public be involved in the formulation of explicit goals  
12 and objectives by the Ministry at the strategic and at  
13 the regional and at the local level?

14 A. Yes, I think the public should be  
15 involved at that kind of level, but I think it's  
16 important here that we recognize that the Ministry has  
17 to take an active role itself. I mean, I am certainly  
18 not suggesting that the Ministry sit back and have the  
19 public, or anyone else for that matter, say what ought  
20 to be done. I mean, the Ministry has a responsibility  
21 to us, the citizens, and I hope that they will keep  
22 that responsibility first and foremost in front of  
23 them.

24 I would, I have advocated that the  
25 Ministry ought to have some things like the principles

1 of the World Conservation Strategy, for example, more  
2 firmly in place in its policy, and I would hope that  
3 the Ministry is prepared to stick with its guns in  
4 terms of trying to meet its mission statement.

5 If the Ministry is active in that sense:  
6 This is what we are doing, how can we do it, then I see  
7 the kind of involvement with the public that the forest  
8 industry is suggesting and that I'm suggesting as being  
9 a kind of dialogue or a mentologue, I suppose, because  
10 there's going to be more than just sort of two people  
11 involved, wherein some form of consensus can be worked  
12 out in the individual plans.

13 MADAM CHAIR: Yes. The Board wants to  
14 explore with Dr. Payne his perception of consensus, but  
15 we will do that as we go further along in this  
16 evidence.

17 MR. LINDGREN: That is right. I did have  
18 your question from the scoping session in mind and I  
19 will be posing it to Dr. Payne.

20 Q. Dr. Payne, could I ask you to turn to  
21 page 50 of your witness statement, unless you had  
22 something else to add on the previous point?

23 A. No, I don't, Mr. Lindgren.

24 Q. Now, on page 50, you provided a few  
25 examples of what you understand to be the Ministry's

1 conception of what non-timber values are or might be.  
2 Is there something wrong with the Ministry's approach  
3 or definition of non-timber values?

4 A. Yes. I think it is essentially, as  
5 it's revealed in the documents that the Ministry has  
6 put forward, to be a program-specific valuation; this  
7 is not peoples' valuation of the natural environment,  
8 this is valuation through the wildlife program,  
9 valuation through the forest program and so on, and  
10 it's looking down those long tubes that I spoke about  
11 earlier.

12 I think that one would find, that if one  
13 found out what people valued in the natural  
14 environment, that people would assign values to such  
15 particular species as moose, people would assign values  
16 to other species such as song birds and, in that sense  
17 then, the idea of non-timber values as the Ministry is  
18 expressing it here would have a lot more relevance, but  
19 without that kind of connection back out to people who  
20 are doing the valuing, then all we have here are things  
21 that are valued by program.

22 People value things and we need to know  
23 the connection, we need to know what people value and  
24 what things, natural things it is that people value.

25 Q. And you've indicated in order to make



1       that connection you have to employ social science  
2       methods?

3                   A.   Yes, that's right.

4                   Q.   What do you mean by that?

5                   A.   There is scientific methods, for  
6       example, that might be used by biologists and so on,  
7       aren't particularly relevant to trying to understand  
8       for a whole variety of reasons.

9                   Q.   Now, I understand that you've had an  
10       opportunity to review most or all of the socio-economic  
11       data and evidence that has been presented by the  
12       Ministry to this Board to this point in the hearing.

13                   I understand that you've reviewed Panel  
14       7, Volume 3 which is Mr. Pyzer's overview of  
15       socio-economic data in the context of resource  
16       management, you've indicated you've looked at Panel 1,  
17       you've looked at Mr. Pyzer's socio-economic evidence  
18       Panel 14, and Mr. Clark's socio-economic evidence in  
19       Panel 10.

20                   Do any of those documents -- and you've  
21       referred to -- and you've reviewed other exhibits as  
22       well. Do any of those other exhibits or do these  
23       witness statements contain adequate information, the  
24       type of social science, or the social economic data  
25       that you require in order to manage and protect

1 non-timber values?

2 A. They contain really only the basic  
3 rudiments of that kind of approach that I've been  
4 talking about. There is an unfortunate tendency in  
5 some of those documents to mistake information about  
6 people as, for example, being enough in itself; that if  
7 one can do a descriptive study, for example, of a  
8 community, one can put that up as an example of the  
9 kind of socio-economic information that the Ministry  
10 has.

11 But the point of collecting this  
12 information is that it can be used and it can be used  
13 in resource management planning in some way, and the  
14 information at least that I've seen doesn't lend itself  
15 well to that kind of use; it looks good, it may be  
16 quite valid in terms of how it was collected and so on,  
17 but it appears not to have any strategic values.

18 In addition to that, there is another  
19 unfortunate tendency of slipping into talking about  
20 activities that people take part in, perhaps those  
21 activities are back country hiking, perhaps those  
22 activities are back country fishing or fly fishing, or  
23 some such thing as that, which is -- certainly those  
24 activities are important and they are important to what  
25 the Ministry does, but what's missing is the whole

1 issue about the people, who does it. Who does these  
2 activities. And what is it about those activities that  
3 make them special.

4 Are they, for example, growing in  
5 popularity because the number of people are growing in  
6 popularity, or are they declining in popularity because  
7 as our population ages people don't want to do that as  
8 much any more. That certainly is something that I find  
9 that the Ministry doesn't have a kind of consistent  
10 feel for. That leads me to the feeling that the kind  
11 of information that the Ministry has on the  
12 socio-economic side is spotty to begin with and there's  
13 no evidence that the need for it has been thought  
14 through.

15 Q. Now, on page 2 of your CV - and we  
16 don't need to refer to it - but on page 2 you have  
17 indicated that you have an ongoing teaching and  
18 research interest in social impact assessment.

19 Can you describe very briefly what social  
20 impact assessment or social impact analysis is?

21 A. Social impact analysis is an attempt  
22 to understand what sorts of effects will be felt by  
23 people when a development occurs. For example, if one  
24 were to suggest building an irrigation dam in a Third  
25 World country like Nigeria, one would want to have a

1 sense of how the individuals who lived in the area that  
2 was going to be flooded, how the individuals who  
3 perhaps used part of the area that was going to be  
4 flooded would be both negatively affected and  
5 positively affected in those circumstances.

6 Q. Do any of the MNR documents, exhibits  
7 or witness statements amount to what you would consider  
8 to be social impact assessment of the social and I  
9 guess economic impacts of timber management within the  
10 area of the undertaking?

11 A. Well, they perhaps make a stab, but  
12 it's a poor stab. I have in front of me the section  
13 in, is it Panel 10, where the Ministry presents  
14 evidence about how various stakeholders, commercial  
15 stakeholders, recreational stakeholders, local and  
16 traditional users will be or might be impacted by a  
17 variety of timber management activities.

18 I think the key word here is might,  
19 because when one looks through this there is no  
20 evidence of any research that might be able to put a  
21 more quantitative or even qualitative dimension on to  
22 that statement, that these groups might or might not be  
23 affected by timber management activities.

24 I think that's certainly needed because,  
25 again, there may be costs associated with conducting



1 timber activities in certain areas and the place to  
2 bring some of these costs out is obviously in terms of  
3 the sorts of methodology that's available through  
4 social impact assessment.

5 But from what I can see in this  
6 particular panel, Panel 10, the Ministry has an idea  
7 that there might be social impacts occurring, but the  
8 Ministry has no information apparently which will allow  
9 it to determine just what those impacts might be,  
10 whether those impacts would be great, whether those  
11 impacts would be positive or negative in economic or  
12 social terms.

13 Q. And, Dr. Payne, in order to do a  
14 social impact assessment of the impacts of timber  
15 management activities, would you have to go out and ask  
16 people?

17 A. Yes, I think you would certainly have  
18 to do at the very least that, and my guess is, is that  
19 you would have to ask quite a number of people because  
20 it's likely that not only are people who are in the  
21 immediate area concerned about this and who could be  
22 affected, but people who are perhaps not in the area of  
23 the area of the undertaking at all never mind the local  
24 timber management area.

25 I talked to, in my witness statement,

1 about how values, such as bequest value and option  
2 value are both values which, kind of utilitarian bend  
3 to them, which people seem to find important. It's  
4 quite possible I think then that an individual living  
5 here in Toronto could be concerned about the fact that  
6 his access to the forest, the possibility of using the  
7 forest for recreational purposes or some such thing as  
8 that might not exist because of timber management  
9 practices.

10 So clearly not only are the people in the  
11 local area implicated in terms of trying to find out  
12 how they might be affected, but perhaps we need to  
13 implicate or perhaps we need to involve other regions  
14 of the province as well.

15 Q. Dr. Payne, if a resource management  
16 agency such as the MNR is committed to integrated  
17 resource management, is the collection of reliable  
18 social and economic data important?

19 A. It's not only important it's  
20 essential.

21 MR. MARTEL: Can I ask a question,  
22 because I have worries about this hearing in terms of,  
23 from a northern perspective where I am from as opposed  
24 to a southern perspective where someone else is from,  
25 the effects on people and communities in the north,

1 depending on where you are sitting, is vastly  
2 different.

3 How do you reconcile those differences to  
4 meet the wishes of an entire society?

5 MADAM CHAIR: I think we are going to get  
6 into the consensus issue.

7 MR. LINDGREN: Yes.

8 MR. MARTEL: I mean, this is difficult.

9 THE WITNESS: It is, it is, I agree with  
10 you entirely, Mr. Martel, that that's a very difficult  
11 issue and one that is certainly familiar to me since I  
12 used to be a southern person, I now like to think of  
13 myself as a northerner.

14 My gut feeling here is that since it's  
15 the local people that are going to feel the impacts,  
16 positive or negative, on a day-to-day basis, on a  
17 year-to-year, month-to-month basis, that their  
18 interests have to be, have to be given priority;  
19 however, at the same time, I think that we might be  
20 talking about situations, for example, in the case of  
21 an endangered species which has been designated by the  
22 province as something that ought to be protected, there  
23 is a provincial interest there.

24 I think that if I was pushed - and it  
25 would require quite a push - I mean, this is not an

1 easy thing to do, my suggestion to the Ministry would  
2 be that it would be important for the Ministry to get a  
3 sense of how the Ontario public feels about natural  
4 environment issues through surveys done at the  
5 province-wide level.

6 And I think that would give people in  
7 Toronto, people in Wawa and so on the same sort of  
8 opportunity to be involved as, for example, they were  
9 in the Canadian Wildlife Service data, that is the kind  
10 of information that would allow the MNR to set some  
11 strategic directions.

12 But I think that when it comes to talking  
13 about timber management plans that affect a specific  
14 area of, the Wawa District for example, then there's a  
15 real need to involve those folks in the Wawa District  
16 in the determination of how that plan unfolds and how  
17 that planning process unfolds.

18 So I think, in essence, it's necessary to  
19 try and sort of build in both levels here at the  
20 strategic level, the province-wide level where,  
21 legitimately I think, the province - and the province  
22 can speak for all of us - whereas at the local level, I  
23 think, it only is -- well, it's only morally fair that  
24 the local people have the primary role to play in all  
25 of this.



1                   MADAM CHAIR: Obviously you are aware,  
2                   Dr. Payne, of what the Board encounters and, that is,  
3                   an interface between these different, the local and  
4                   provincial values--

5                   THE WITNESS: Sure.

6                   MADAM CHAIR: --coming together, and we  
7                   have questions about that that we will talk about with  
8                   respect to conflict resolution, unless you think --

9                   MR. LINDGREN: I was planning to address  
10                  that later, but please --

11                  MADAM CHAIR: Let's just go ahead with  
12                  what you were questioning.

13                  Q. I have a few other questions on  
14                  social economic data collection, Dr. Payne. You've  
15                  indicated that it can be done and should be done. On  
16                  page 51 you indicate that collecting it can be  
17                  expensive.

18                  A. (nodding affirmatively)

19                  Q. Nevertheless, should it be done?

20                  A. Yes, I think it should be done. I  
21                  think this concern about expense is certainly a valid  
22                  one. It's my understanding that the dataset that the  
23                  Provincial Parks Branch had collected for it by a  
24                  consultant cost in the order of \$80,000 and that is no  
25                  small sum to anyone's mind, yet the total number of

1 responses to that dataset was less than 1,200. A  
2 considerable amount of money involved here.

3 I think too this is why I am concerned  
4 that sources of data, which sources of data such as  
5 that which the province participated in with the  
6 Canadian Wildlife Service ought to be more widely  
7 available throughout the Ministry. That data source  
8 wasn't nearly as expensive I don't think, but certainly  
9 in terms of the richness there, it is the kind of thing  
10 that ought to be shared across all functional units of  
11 the Ministry.

12 If there were a unit of the Ministry that  
13 was responsible for this kind of data collection and  
14 dissemination at head office level, then perhaps there  
15 would be savings to be had by making these large  
16 surveys more generally available and fitting the  
17 results of the large surveys into strategic planning.

18 Q. Now, in NOTOA Question No. 7, which  
19 is in the interrogatory package filed as Exhibit 1594,  
20 you were questioned as to whether or not the expense in  
21 collecting socio-economic data is the main reason why  
22 the Ministry, MNR, is doing such a poor job in this  
23 respect.

24 And you indicated that funding is only  
25 one of the impediments to collecting this data. Can

1       you briefly discuss what the other impediments  
2       currently are?

3                   A. Yes. As I say here, clearly the  
4       management system which pushes the idea of functional  
5       planning is a problem here, I think, as is the  
6       bureaucractic orientation of the Ministry, there simply  
7       is not the perception that such information is needed  
8       on a regular basis.

9                   Ministry goes about doing as the  
10      consultants said in the CRESAP report, doing its  
11      business the way it's always done its business because  
12      that's the way it does its business, and there has been  
13      not that kind of need.

14                  I think in addition to that, the Ministry  
15      has only limited capability at any level in the  
16      organization to deal with socio-economic information of  
17      the sort that I'm talking about here. I can think of a  
18      few people at head office who I know that have this  
19      kind of capability, but they are few and far between,  
20      and they are not particularly well supported with  
21      staff. That is certainly a major impediment meant.

22                  Again, there is no point in collecting  
23      information if you are not able to use it and, clearly,  
24      this information is meant to use.

25                  I think too that where there is the

1 capability in the Ministry to handle large volumes of  
2 social and economic information, that capability is  
3 usually at the head office level and there is a real  
4 need to find a way to connect those individuals and  
5 their expertise with the reality of operations in the  
6 field. Again, I think the consultant had something to  
7 say about that.

8 Q. So you're not saying that the MNR  
9 requires a social scientist at every district?

10 A. Well, no, I don't think that would be  
11 necessary. It seems to me that one of the purposes of  
12 the regional office in the reorganization, whenever  
13 that happened, was to give support to the field, to the  
14 district offices. Perhaps this is a place to put a  
15 social scientist or two.

16 But probably more than that, there is a  
17 need to put more social scientists, or people who are  
18 capable of dealing with social science information in a  
19 natural resource context at head office level so that  
20 that information can get out and it can find its way  
21 into a strategic direction.

22 MADAM CHAIR: Mr. Lindgren, did you want  
23 to take the morning break now or are you...

24 MR. LINDGREN: Sure.

25 MADAM CHAIR: Are we interrupting this



1 line of questioning?

2 MR. LINDGREN: No.

3 MADAM CHAIR: All right the Board will be  
4 back in 20 minutes.

5 Oh, excuse me, one thing. Mr. Cosman,  
6 did you manage to get ahold of anyone from the OFAH?

7 MR. COSMAN: Yes, I spoke to Mr. Hanna  
8 last night, Madam Chair, as I undertook to do. He can  
9 be here on Thursday morning. He is starting another --  
10 he is on another hearing and on Tuesday morning it's  
11 going to be very difficult for him. That's what was  
12 put to me.

13 MADAM CHAIR: But the gist of it is, he  
14 won't show up this afternoon?

15 MR. COSMAN: He cannot be here this  
16 afternoon, but he will be here, and he says even though  
17 it's only half a day he'll have to complete his  
18 cross-examination in a half day.

19 MADAM CHAIR: Thank you, Mr. Cosman.

20 Excuse me, sorry to bother you, Mr.  
21 Cosman. Did Mr. Hanna indicate whether he was coming  
22 to the scoping session this evening, or this afternoon  
23 rather?

24 MR. COSMAN: I'm sorry, I didn't ask that  
25 question.

1 MADAM CHAIR: We will get in touch with  
2 him. Thank you.

3 ---Recess taken at 10:25 a.m.

4 ---On resuming at 10:45 a.m.

5 MADAM CHAIR: Please be seated.

6 Mr. Lindgren?

7 MR. LINDGREN: Thank you, Madam Chair.

8 Before I begin, I would like to briefly  
9 address the issue as to whether or not we may or may  
10 not be sitting tomorrow in light of Mr. Hanna's  
11 comments and unavailability this afternoon.

12 I have spoken to the other counsel, and  
13 we've agreed that, if possible, we should sit tomorrow,  
14 and the reason is this: If we do not sit tomorrow,  
15 then it is unlikely that we will be able to finish with  
16 Dr. Payne's evidence in the three days that are  
17 available to us next week, and if we don't finish, then  
18 we're going to have to bring him in for a couple of  
19 hours the following week, and that is an expense that  
20 we would certainly prefer to avoid.

21 And I think the other parties are in  
22 agreement that, if possible, we would like to finish  
23 Dr. Payne's evidence next week.

24 If we don't sit for the half day  
25 tomorrow, I don't think that's possible. We are

1 certainly in the Board's hands on this, but that is our  
2 preference.

3 MADAM CHAIR: Thank you, Mr. Lindgren.

4 Obviously, Mr. Hanna has put Dr. Payne  
5 and all of us in a difficult position. He seems to  
6 believe that this hearing revolves around his  
7 availability, it's not the first time we've had this  
8 problem.

9 This is certainly another factor that  
10 we'll have to consider. We do want to accommodate Dr.  
11 Payne and have his participation be as organized as we  
12 can and not have it drag on.

13 MR. LINDGREN: I should also indicate  
14 that Dr. Payne will be in Toronto in any event  
15 tomorrow. I've indicated he's going out of the country  
16 tomorrow afternoon, but he'll be here tomorrow and I  
17 think his preference is to continue as well, if that's  
18 possible.

19 MADAM CHAIR: Thank you.

20 MR. COSMAN: Madam Chair, if I may.

21 It's not my job to defend Mr. Hanna, he  
22 has to defend himself, but in any event, even if we  
23 were to start after the break this afternoon with Mr.  
24 Hanna's cross, if he was here, all in effect we're  
25 losing is an hour before the scoping session and he

1 would be here in any event tomorrow for the balance of  
2 the cross.

3 So it's not as if, in this case at least,  
4 that the hearing is being set back to any great degree  
5 by his unavailability this afternoon.

6 MADAM CHAIR: Thank you, Mr. Cosman.

7 We've had many variations on that theme  
8 with respect to Mr. Hanna's availability in the  
9 scheduling of each of the cross-examinations.

10 Thank you.

11 MR. LINDGREN: Thank you, Madam Chair.

12 Q. On the issue of social and economic  
13 data collection, Dr. Payne, I would like to refer you  
14 to the Ministry letter that I filed this morning as  
15 Exhibit 1599.

16 And this is a letter dated August 1st,  
17 1990 to the Board in relation to the redraft of the MNR  
18 terms and conditions. Do you have that document?

19 A. Yes, I do.

20 Q. I would like to refer you to page  
21 5 -- or page 4 of this document, and a third of the way  
22 down the pages there's an indication that:

23 "There are other matters raised by the  
24 suggested terms and conditions of other  
25 parties which are being actively



1 considered by the MNR and these matters  
2 are:

3 1) the development of socio-economic  
4 analysis tools. The MNR agrees that the  
5 use of socio-economic analysis in timber  
6 management planning requires enhancement  
7 and training. MNR is committed to  
8 undertake an intensive review of the  
9 socio-economic analysis tools which are  
10 available and which would assist in the  
11 analysis of socio-economic issues  
12 relevant to timber management planning in  
13 Ontario. This review would identify the  
14 specific analytical tools that are  
15 appropriate for use in specific  
16 circumstances. This review is intended  
17 to be carried out with the involvement of  
18 parties to this Environmental  
19 Assessment."

20 And skipping to the last paragraph on

21 page 5:

22 "At this time, MNR does not have  
23 sufficient detailed information to  
24 adequately address these matters in the  
25 draft terms and conditions, however,

1 MNR does intend to pursue these matters  
2 over the next several months and is  
3 looking forward to further discussions  
4 with the parties about these matters."

5 Dr. Payne, you are here on behalf of FFT  
6 to present evidence in relation to socio and economic  
7 analysis. On our behalf, do you have any comments on  
8 the proposal set out in paragraph 1 on page 4?

9 MR. COSMAN: Wait a minute. We haven't  
10 got an economist here. You said he's here to address  
11 the socio-economic issues.

12 MR. LINDGREN: Well, the socio-economic  
13 analysis tools.

14 MR. COSMAN: All right.

15 THE WITNESS: Yes. I think this is a  
16 positive step, I think that these things are clearly  
17 needed. I would, I suppose perhaps gratuitously,  
18 question why they were not there before,

19 The question I have surrounds, I suppose,  
20 the notion of tool. I am not quite sure what the  
21 Ministry might mean by that. To me a tool would be a  
22 methodology, perhaps a computer program which would  
23 perhaps optimize benefits or something like that. I  
24 have in mind here the U.S. Forest Service program which  
25 is called FORPLAN, and that is a linear programming

1 model which attempts to optimize benefits from national  
2 forests.

3 My concern is, is that to me information  
4 is also a tool, and I would hope that in talking about  
5 the development of socio-economic analysis tools that  
6 the Ministry takes a wider view of tools than merely  
7 the techniques by which information may be manipulated.

8 In social science in general there's an  
9 old addage that if you put garbage in you get garbage  
10 out, and clearly the input to any kind of model, any  
11 kind of analytical technique has to be good quality  
12 information, otherwise the information that comes out  
13 is not particularly worth a great deal.

14 So I guess I give a tentative endorsement  
15 to this with qualifications that are concerned about  
16 the kind of information that the Ministry will be using  
17 within what I take to mean its tools.

18 MS. BLASTORAH: And I would just like to  
19 clarify, I think Dr. Payne has already done this  
20 himself, but I would just like to clarify that his  
21 comments are within the context of his interpretation  
22 of what the Ministry means by this.

23 And perhaps I could just ask Mr. Lindgren  
24 to clarify that Forests for Tomorrow or certainly Dr.  
25 Payne has not had any conversations with the Ministry

1 as to what they mean in that paragraph?

2 MR. LINDGREN: Q. Payne?

3 A. No, I haven't.

4 MS. BLASTORAH: Thank you.

5 MR. LINDGREN: Q. Now, Dr. Payne, you  
6 were in attendance for the Panel 4 scoping session and  
7 you might recall that Madam Chair posed a question  
8 along the following lines: If the MNR improved the  
9 quality and quantity of its socio-economic information,  
10 would you assume that this would necessarily or  
11 automatically provide more protection and better  
12 management of non-timber values?

13 A. No, I wouldn't necessarily assume  
14 that. I think it would be definitely a positive step  
15 and would at least set the stage for better results.

16 As I said earlier today, I think such  
17 information, first of all, has to be collected in a  
18 strategic manner, it has to connect to some sort of  
19 strategic policy directions that have been established  
20 within the Ministry at senior levels, but then once  
21 collected, the information has to be used and has to be  
22 in such a form that it is usable in timber management  
23 planning.

24 Again, I think it's fair to say that  
25 suggesting that information needs to be collected and



1 suggesting that high quality information needs to be  
2 collected is the easy part, translating that  
3 information into usable form is very difficult and  
4 agencies that have a requirement even to use such  
5 information, such as the U.S. Forest Service does,  
6 continue to wrestle with this particular issue. It's  
7 not an easy one, but unless it is addressed, unless it  
8 is wrestled with, even the best information is not  
9 going to yield the kind of results that we hope to see.

10 Q. And assuming that this type of data  
11 is collected, does it have to be used in the context of  
12 integrated resource management?

13 A. Well, I think it has to be used in  
14 the context of integrated resource management,  
15 otherwise the Ministry's mission statement is  
16 meaningless.

17 I keep coming back to this, but to me the  
18 grounds for all of this is the development and  
19 perpetuation of social and economic benefits for the  
20 people of the province.

21 Q. Now, while we are on this subject, I  
22 would like to refer you to one of the MNR's proposed  
23 terms and conditions.

24 MR. LINDGREN: And, Madam Chair, just for  
25 the assistance of the Board and for the parties, I have

1 photocopied the one provision that I would like to put  
2 to Dr. Payne. I don't believe it's necessary to mark  
3 it as an exhibit, but I think it will be easier for the  
4 Board and for the parties to follow. (handed)

5 MADAM CHAIR: Thank you. And this is the  
6 August 3rd version?

7 MR. LINDGREN: That's correct. It's an  
8 excerpt from the August 3, 1990 MNR proposed terms and  
9 conditions and I'm putting to Dr. Payne Condition No.  
10 20.

11 Q. And perhaps I will read it into the  
12 record as well. Condition 20 is entitled: Management  
13 Objectives for Non-Timber Values and the condition  
14 reads as follows:

15 "MNR shall ensure that for information  
16 purposes each timber management plan  
17 shall contain a description of existing  
18 management objectives for non-timber  
19 values which could be affected by timber  
20 management activities to be carried out  
21 under the plan.

22 The specific sources of the existing  
23 objectives (i.e., District Land Use  
24 Guidelines, Resource Management Plans,  
25 Government Agreements with native people)

1 shall be stated and the geographic area  
2 for which those objectives have been  
3 developed shall be identified."

4 MS. BLASTORAH: Sorry, Mr. Lindgren, just  
5 a minor point. You said i.e. and it's e.g. Those are  
6 examples not an exhaustive list.

7 MR. LINDGREN: I agree, that a minor  
8 point.

9 MS. BLASTORAH: Thank you.

10 MR. LINDGREN: Dr. Payne, do you have any  
11 comments on condition 20?

12 A. Well, I certainly support the idea  
13 that management objectives for non-timber values ought  
14 to be stated and they ought to be included in timber  
15 management plans, but not merely for information  
16 purposes. It seems to me that if you are going to have  
17 them there and have them as objectives, then it's  
18 incumbent upon the Ministry to manage to meet them,  
19 otherwise why have them.

20 In addition to that, I would hope that  
21 such objectives would be oriented toward integrated  
22 resource management. If they were, I would be quite  
23 supportive; if, on the other hand, they continue to  
24 show or to suggest that non-timber values were  
25 constraints to timber management, then I clearly would

1 not be happy at all.

2 MR. LINDGREN: And on that point I would  
3 like to refer to an interrogatory, Madam Chair, that  
4 was filed in Panel 15 as part of Exhibit 879.

5 Now, I believe I asked Mr. Pascoe to pull  
6 out a copy of that exhibit for the Board, but I'm not  
7 sure if it's necessary for you to look at it. It's a  
8 question and answer, it's quite short. It's found in  
9 Exhibit 879, it's Question No. 8 posed by FFT.

10 The question was:

11 "With respect to integrated resource  
12 management objectives, do quantitative  
13 objectives for any non-timber resources  
14 exist in the plan?"

15 And the answer from the Ministry was:

16 "No, quantitative objectives for  
17 non-timber resources are not determined  
18 during timber management planning."

19 Q. Do you have any comments on that  
20 answer, in light of what you have just said in relation  
21 to term and condition 20 proposed by the Ministry?

22 A. Clearly the non-timber values, the  
23 expression of non-timber values deserve inclusion,  
24 quantitative inclusion, where that is possible. It's  
25 not going to be possible in every situation I don't



1 think, but clearly where it's possible they should be  
2 expressed quantitatively, and for those values such as,  
3 especially those that I called predominantly  
4 non-utilitarian yesterday, those ought to be present  
5 but presents in terms of a policy guideline or forest  
6 policy, Crown land management policy which is above and  
7 which directs timber management planning.

8 MADAM CHAIR: Dr. Payne, from what you  
9 have been telling the Board we have an impression that  
10 the way you see this process, or how you would see it  
11 ideally, is a topic that we have revisited many times  
12 in this hearing and; that is, that what we're looking  
13 at is forest management as opposed to timber  
14 management.

15 Now, the way the timber management  
16 planning system is proposed before this Board is that  
17 non-timber values, wildlife for example, would be set  
18 outside of the timber plan, in fact under this scheme a  
19 quantitative value for moose would be designed by the  
20 Wildlife Branch for example, and MNR seems to be  
21 proposing that that quantitative value for moose could  
22 find its way into the timber management plan.

23 But that doesn't really satisfy how you  
24 see the whole process working because, in that  
25 situation, the value for moose, the quantitative value

1 is still not part of timber management planning, or do  
2 you think that's satisfactory, if in fact you can get a  
3 number, and even if it doesn't come out of the timber  
4 management plan, but it is an objective brought in from  
5 elsewhere in the Ministry, does that satisfy your  
6 concerns?

7 THE WITNESS: I think it could. My  
8 question would be, where would it come from and how was  
9 it developed in that context.

10 I think the Ministry may suggest that it  
11 comes from the DLUGS. I don't have a great deal of  
12 faith that the DLUGS are the appropriate source, for  
13 two reasons: I'm not convinced that the DLUGS are based  
14 on good information to begin with; and, secondly, the  
15 DLUGS, as I've argued, are program specific and do not  
16 integrate in the kind of integrated resource management  
17 that I spoke about earlier.

18 And under those circumstances, it's for  
19 this reason that I've argued that cost/benefit analysis  
20 which involved non-timber values as well as timber  
21 values ought to be undertaken at the forest management  
22 unit level and, if we ever get around to revising the  
23 DLUGS, they ought to be undertaken there as well.

24 As to whether or not I'm talking about  
25 timber versus forest management, this is a problem for

1 me because I don't see how it's possible to talk about  
2 integrated resource management and management of the  
3 sorts of non-timber elements that are associated with  
4 the forest unless it's broadened to forest management.

5 If the Ministry was able to demonstrate  
6 to me that elsewhere it's been able to carry out the  
7 kind of integrated resource management, the broad kind  
8 of integrated resource management that I mentioned  
9 earlier, then I would have more faith in the Ministry  
10 talking merely about timber management planning because  
11 I could see a connection between some other sort of  
12 document, some other planning process and this one  
13 which is more specific but, at the moment, I don't see  
14 that.

15 MADAM CHAIR: And have you examined the  
16 role of district biologists, for example - sticking  
17 with wildlife as a non-timber value in a timber  
18 management process - have you looked at the role of a  
19 district biologist who would in fact look at objectives  
20 for wildlife and there are ways that that could be put  
21 into the timber management plan, but would you see that  
22 as an example of integration?

23 THE WITNESS: I would see it as perhaps  
24 the basis for integration, but as things currently  
25 happen, I think, both the management system which

1 requires management to targets and the insulation  
2 amongst divisions, functional divisions in the  
3 Ministry, I wouldn't have a great deal of hope that  
4 some of the broader issues that are out there just with  
5 respect to wildlife would be available to the district  
6 biologist.

7 Now, I understand that the Wildlife  
8 Branch is changing and changing fairly rapidly.

9 MADAM CHAIR: We don't have that evidence  
10 in front of the Board.

11 THE WITNESS: No, I don't know if you do  
12 or not, I mean, my evidence is clearly hearsay on this  
13 matter.

14 But my colleague at the University of  
15 Waterloo Robert Graham with whom I'm doing this  
16 research project on the Canadian Wildlife Survey data,  
17 told me just the other day that he had received a call  
18 from a person in the Wildlife Branch who is responsible  
19 for what is called Human Dimensions in Wildlife, and  
20 it's in that Human Dimensions in Wildlife context that  
21 the wildlife data plays a role.

22 So there is some movement at the moment  
23 in the Wildlife Branch to bring this information, this  
24 CWS information to the fore, but that's happening now  
25 and it's happening, I think, primarily at the head



1 office level. I don't know for certain, but I would  
2 doubt that yet that kind of information would have  
3 filtered down to the district biologists.

4 MADAM CHAIR: In the timber management  
5 planning process, why shouldn't we rely on the district  
6 biologist to enter that information into timber  
7 management planning?

8 THE WITNESS: He may not have it, to  
9 begin with, he may, especially in the case of the  
10 Canadian Wildlife Service data, he may not be able to  
11 interpret it, to put it into the timber management  
12 planning process. Biologists are maybe a number of  
13 things, but they are not social scientists, and the  
14 kind of knowledge and the skills that social scientists  
15 have are different than the kind of knowledge and  
16 skills that biologists have.

17 MADAM CHAIR: Thank you.

18 MR. LINDGREN: Q. Dr. Payne, you have  
19 talked throughout your testimony about the need for  
20 integrated resource management and integrated planning.  
21 You have indicated that certain types of socio-economic  
22 data is required in order to achieve that, and on page  
23 52 of your witness statement you do refer to the data  
24 that was collected by the Canadian Wildlife Service.

25 MR. LINDGREN: And, as I've indicated,

1 Madam Chair, this has been exhibited in this hearing as  
2 Exhibits 239 to 242.

3 Q. And, Dr. Payne, I understand that  
4 that using data you would like to provide an example to  
5 the Board of how it can be used in the integrated  
6 planning process.

7 And perhaps I can ask you to do that now  
8 and, while you do that, can you discuss the evidence  
9 and indicate to the Board what it means in terms of  
10 integrated resource management and the Ministry's  
11 mission statement and timber management planning?

12 A. Yeah, I would be happy to do that.

13 MR. LINDGREN: And, Madam Chair, Dr.  
14 Payne will be using the overheads that we have filed as  
15 an exhibit this morning.

16 MADAM CHAIR: Exhibit...?

17 MS. BLASTORAH: 1598.

18 MADAM CHAIR: Ms. Blastorah?

19 MS. BLASTORAH: I'm sorry, I'm just  
20 wondering if that's Exhibit 1598?

21 MR. LINDGREN: That's correct.

22 MADAM CHAIR: Thank you.

23 THE WITNESS: There are several important  
24 components of the Canadian Wildlife Service data that  
25 have been collected, first in 1982 and then again in

1 1987. The point of having not one but two collections  
2 is to try and do some analysis that examines change  
3 over time. I believe the Wildlife Service is prepared  
4 to do this same survey or one very close to it again in  
5 1991.

6 The Canadian Wildlife Service itself  
7 didn't collect the information, but in fact I suppose  
8 sub-contracted Statistics Canada to do it for them and  
9 Statistics Canada used its existing labour force survey  
10 methodology to collect the information.

11 I should add too that the Canadian  
12 Wildlife Service was not acting alone here as an  
13 agency, it had the active participation of all of the  
14 agencies in each of the provinces that have  
15 responsibility for wildlife. So it was definitely a  
16 federal/provincial initiative and it was hoped that the  
17 different provinces would use the information that was  
18 relevant to the provinces -- to the specific province.

19 The total number of responses in 1982 - I  
20 will only speak to 1982, I haven't done anything yet  
21 with the 1987 data - was just over 76,000. These  
22 respondents were drawn from the 10 provinces and they  
23 were people who were at least 15 years of age in each  
24 of those 10 provinces.

25 No sampling whatsoever was done in either

1 of the two northern territories, nor was sampling  
2 conducted on Indian reservations. I should also point  
3 out that this is a dataset that is rich simply because  
4 of the number of respondents that are in it.

5 It is a large and valuable dataset. In  
6 Ontario there were 14,743 respondents to the  
7 questionnaire that was delivered by Statistics Canada  
8 and then found its way back to the Canadian Wildlife  
9 Service.

10 Again, it's important to note that this  
11 is a significant number in terms of social science  
12 research, the previous high I think of attempts to  
13 gauge the Ontario population in relation to any form of  
14 the natural environment was the 1972-73 Ontario  
15 Recreation Survey which was done by MNR, the equivalent  
16 back then of the Ministry of Tourism and Recreation,  
17 and several other ministries. The view at that time  
18 was toward trying to understand what people did in the  
19 natural environment. This is bigger than that, but  
20 it's somewhat narrower as well.

21 The information which was collected  
22 sought responses on such questions as values, and here  
23 values were expressed as interests and, specifically,  
24 the questions were: How interested are you in hunting  
25 and hunting wildlife, for example, and the respondents



1 were given the opportunity of checking the box labeled  
2 highly interested, somewhat interested, or not  
3 interested at all.

4 In addition to that, the activities  
5 involving wildlife that people participated in were  
6 also identified and especially because this was, I  
7 think, one of the big thrusts behind the survey, the  
8 nature of the expenditure in time and money for various  
9 wildlife activities.

10 MR. LINDGREN: Dr. Payne, sorry to  
11 interrupt, but perhaps you could stand in the corner  
12 and allow the parties behind to see as well.

13 THE WITNESS: I'm sorry.

14 MS. BLASTORAH: Perhaps he could just  
15 hold the hand-held microphone, that might be easier for  
16 Dr. Payne and then he could see the screen.

17 THE WITNESS: That's a good idea, yeah.

18 MS. BLASTORAH: Elegant stand.

19 MR. MARTEL: You think universities are  
20 ill-equipped.

21 THE WITNESS: We don't have microphones  
22 at the university. All this technology.

23 Can you see?

24 MS. BLASTORAH: Yes, that's fine. Thank  
25 you.

1                   THE WITNESS: In addition to that, the  
2       questionnaire attempted to differentiate between  
3       wildlife and recreation activities that were based at  
4       the home or the cottage -- or around the home and the  
5       cottage, and those for which people actually took  
6       trips, specifically for the purposes of viewing,  
7       studying, hunting and so on, wildlife.

8                   And, in addition to that, there were the  
9       usual array of social and economic and demographic  
10      kinds of variables asked. It's normally the practice  
11      in forms of social science to try and look at these  
12      kinds of variables because it's felt that such  
13      information is important in explaining why people do  
14      one particular sort of thing but don't do another.

15                  If I had to criticize this dataset, I  
16      would suggest that it is missing one fairly important  
17      criteria, one fairly important sort of variable which  
18      is relevant to the people who take part in wildlife  
19      activity and, that is, what you might call their  
20      motivation, why do they do it?

21                  A somewhat psychological sort of idea I  
22      guess but, nonetheless, fairly important because social  
23      science research elsewhere has found that one could  
24      find two neighbours side-by-side living in a suburban  
25      area in London, for example, who shared the same kind

1 of socio-economic and demographic characteristics, two  
2 children, the parents between say the ages of 35 and  
3 44, with a similar income level, and yet they would do  
4 very different things in terms of recreation  
5 activities, in terms of wildlife activities.

6 And it requires really asking these  
7 people about why, about their motivations to understand  
8 why those two neighbours are different, and this is  
9 very often the case.

10 As a result, the information perhaps is  
11 less than it could be, but at the same time, as I said  
12 earlier, I think primary interest by or on the part of  
13 the CWS and the provincial agencies as well was in  
14 getting a very good handle on the whole issue of  
15 expenditures, and they surely did that.

16 The information that I will be presenting  
17 to you today deals primarily with the value side or the  
18 interest side as it was expressed in the questionnaire  
19 and on the socio-economic and the demographic side.  
20 What I am trying to do here is to try and isolate the  
21 sort of value or interest orientations that people in  
22 Ontario had and I'm trying to give you an idea of just  
23 who these people were, for reasons that I hope will  
24 become clear as we go along.

25 MADAM CHAIR: Excuse me, Dr. Payne. Can

1 you remind the Board, have you analysed this dataset  
2 with respect to other work you've done, or did you just  
3 do it for this evidence?

4 THE WITNESS: No, this is actually  
5 part -- half of a presentation that I will be giving at  
6 the North American Wildlife and Natural Resources  
7 Conference in Edmonton in March, I think, so this is  
8 part and parcel of that.

9 MR. LINDGREN: Q. And, Dr. Payne, is it  
10 also part of your social science and humanities  
11 research council grant?

12 A. Yes, that's where the money came from  
13 to purchase the dataset and to conduct the analysis as  
14 far as it's gone.

15 MR. LINDGREN: And, Madam Chair, that  
16 particular project is referred to on page 3 of Dr.  
17 Payne's CV.

18 MADAM CHAIR: Thank you.

19 THE WITNESS: I think it's important too  
20 that you have some appreciation of the analysis. I  
21 don't want to get unnecessarily technical here, but  
22 it's important to see, first and foremost, that in what  
23 you will see before you I haven't included all the  
24 information from across the country, I have pulled out  
25 only the Ontario information. So the information that



1 you will see relates to those 14,000 plus Ontarians who  
2 answered the question.

3 Again, as I said, there's a focus here on  
4 values and the means by which the analysis was done, at  
5 least in the first instance, was via a grouping  
6 technique, a statistical grouping technique called  
7 cluster analysis which puts respondents who have  
8 similar answers together in the same group.

9 These groups then, I would suggest, are  
10 value groups, or in the way in which the CWS has used  
11 the term interest groups, and the technique itself is  
12 drawn from a well-used and quite sophisticated  
13 statistical package called SPSSX, which I used on the  
14 mainframe of the Lakehead University computer. There  
15 are similar packages for the PC and I think MNR has  
16 access to those.

17 The approach that I took, it's important  
18 to understand this as well because there are some  
19 assumptions behind this and I need to bring those out.  
20 My feeling is, is that values affect behaviour; that  
21 is, if you value wildlife in a certain way, that you  
22 will act in a certain way towards it. I think that is  
23 a kind of approach that could be applied in many  
24 different areas than just in relation to wildlife. So  
25 in a way here I'm saying that if these particular

1 groups have these interests, those interests are sort  
2 of like causes to their activity.

3 But behind that is the additional idea  
4 and; that is, is that wildlife management ought to meet  
5 the desires of recreational and other opportunities for  
6 people in Ontario. This is what wildlife management or  
7 natural resource management ought to be doing, that it  
8 must be focused down on these kinds of benefits,  
9 otherwise it is difficult to say what natural resource  
10 management might be up to, except to say that: Well,  
11 we did it this way in the past, we can continue doing  
12 it this way in the present.

13 The kind of information that is in this  
14 particular dataset, by allowing researchers to identify  
15 groups, interest groups, perhaps even activity groups,  
16 allows an agency like the Ministry of Natural Resources  
17 or the Canadian Wildlife Service to target those groups  
18 almost in the same way that researchers in marketing  
19 identify market segments and target those people with  
20 goods and services.

21 Okay. What did I find. Well, I found  
22 that Ontarians who responded to this could be usefully  
23 divided into five distinct groups, and I say distinct  
24 here because they are distinct in statistical terms as  
25 well as intuitive terms and; that is, you can see

1 differences but they are also distinct from a  
2 statistical point of view.

3 The first group is by far and away the  
4 largest group, almost 8,300 Ontarians, and this group  
5 is the group that I've called the public. When I say  
6 that, I call it the public, realize that that is an  
7 interpretation that I'm placing on the results and  
8 that certainly my computer didn't sort of pop out and  
9 say this is public to me.

10 This group is moderately interested in  
11 watching wildlife and moderately interested in  
12 non-consumptive activities. This group doesn't get all  
13 excited about wildlife in any way, shape or form but  
14 may be a group that through television perhaps or  
15 perhaps through their own personal interests developed  
16 since they were children has this kind of interest.

17 Q. And, Dr. Payne, what do you mean by  
18 non-consumptive wildlife activities?

19 A. I essentially mean those kinds of  
20 activities which are oriented towards, say, watching  
21 wildlife, photographing wildlife, perhaps studying  
22 wildlife, going to a zoo, perhaps watching wildlife in  
23 a park. The opposite would be hunting wildlife and  
24 trapping wildlife. Consumptive here means that once  
25 the wildlife species is shot or trapped, it's taken out

1 of circulation, as it were, for other individuals.

2 MADAM CHAIR: Excuse me, is that --  
3 fishing once a year, if you did a small amount of  
4 recreational fishing, would that bump you up to the  
5 another...

6 THE WITNESS: No, no. There is not yet  
7 any connection here to actual participation. That  
8 would require me to pull in another set of variables  
9 from the dataset and to then examine participation in  
10 relation to these particular groups.

11 MADAM CHAIR: All right.

12 THE WITNESS: I haven't done that yet.  
13 The other point I should bear out is that when we talk  
14 about wildlife, for the purposes of the Canadian  
15 Wildlife Service, fish was not included. That's  
16 someone else's responsibility and respondents to the  
17 original survey in 1982 were cautioned that in the CWS  
18 view fish was not wildlife. We might not agree with  
19 that, but still that's the sort of context of the data.

20 Now, group 2, a much smaller group,  
21 comprising only 511 people from Ontario, is much more  
22 motivated to get involved in wildlife. They are highly  
23 interested in watching wildlife, highly interested in  
24 feeding wildlife and photographing wildlife and also in  
25 membership activities in wildlife-related



1 organizations.

2 They are less interested, but still  
3 considerably interested in collecting wildlife art, in  
4 joining other wildlife-related organizations,  
5 especially those that are interested in maintaining  
6 wildlife abundance, and even in consumptive kinds of  
7 activities. And again, perhaps somewhat subjectively,  
8 I have called this group conservationists because they  
9 seem to be the sort of people that conservationists  
10 are.

11 The significance here is clearly in the  
12 kind of differentiation that is evident in the  
13 attitudes, or rather interests that each group has. In  
14 addition to that, the difference in terms of the  
15 overall numbers of groups -- people in group 1 and  
16 group 2.

17 Group 3, a somewhat larger group,  
18 encompasses 2,784 Ontario residents in the sample.  
19 These people, as you can see, are highly interested in  
20 watching wildlife and in non-consumptive wildlife  
21 activities, that whole range of other activities from  
22 feeding, photography and so on.

23 They are also moderately interested in  
24 feeding and photographing wildlife, collecting wildlife  
25 art - oldlife art - wildlife art, sorry about that, and

1 also in membership activities which both protect  
2 endangered wildlife and maintain wildlife abundance.

3 And I've called these the naturalists  
4 because I think that there is a difference, especially  
5 in terms of consumptive or interest in consumptive  
6 activity between the conservationists and the  
7 naturalists.

8 MADAM CHAIR: What's that difference, Dr.  
9 Payne?

10 THE WITNESS: The difference between the  
11 naturalists and the conservationists, I think, is in  
12 relation to the interest which is had by the  
13 conservationists in consumptive activities, that  
14 interest isn't there on the part of the naturalists.

15 Two more. The fourth group containing  
16 644 Ontario respondents, highly interested in hunting  
17 wildlife and in consumptive activities in general, but  
18 also moderate;y interested in watching and feeding  
19 wildlife and in other non-consumptive activities and  
20 membership in organizations to protect endangered  
21 species and so on.

22 And this group to me, because of the  
23 primacy of hunting and non-consumptive activities and  
24 as well because of the interest in some of the  
25 membership activities, I thought could best be labeled

1 hunters.

2 And last, but not least, a similar group  
3 to group four but somewhat smaller, 583 Ontarians,  
4 highly interested in both consumptive and  
5 non-consumptive activities and in watching wildlife,  
6 and with some moderate interest in feeding and in  
7 hunting wildlife.

8 I called these the sort of wildlife  
9 enthusiasts because they seem to not to be too worried  
10 about the nature of the activity, but they were so  
11 concerned about wildlife that they were highly involved  
12 in - by the looks of it - direct contact with wildlife.  
13 Not nearly as much concern on the part of this group,  
14 for example, in membership in the various kinds of  
15 organizations to which membership is clearly available.

16 Now, the point of this analysis, the  
17 point of any analysis in relation to social science and  
18 resource management, is to make the information useful  
19 to the manager, to the people who have to do something  
20 with it. And I would certainly be remiss now if I just  
21 sort of sat down and said, this is sort of going to get  
22 me published some place and that is about all.

23 Clearly, the important part here is to  
24 say that these groups are, I think, identifiable market  
25 segments in the Ontario population to which the

1 Ministry ought to be directing its wildlife management  
2 efforts. These are the clients, so to speak, to use  
3 the Ministry's terms, and clearly they are not the kind  
4 of clients who are one-dimensional, they are not just  
5 hunters, for example, nor are they just interested in  
6 protecting wildlife and nothing else.

7           The important part of this information --  
8 or one important part of this information I think is  
9 the obvious fact that these sorts of values cannot be  
10 attached to one particular individual, that when you  
11 talk to one particular individual you will probably  
12 find that individual feels strongly about a number of  
13 different things and, consequently, it's not possible  
14 simply to count up the number of people that are  
15 interested in hunting and say: Right, this is the  
16 hunter.

17           It's not possible either to count up the  
18 number of people who are interested in protecting  
19 endangered species and say: Right, here we have a  
20 representative example of people who are interested in  
21 protecting that.

22           Clearly, some of these people are  
23 interested in quite a number of things and I think we  
24 need to have a good understanding of that if we are  
25 going to direct programs and certainly expenditures to



1       them.

2                   MR. LINDGREN:  Q.  Dr. Payne, can I stop  
3       you right there.  The evidence that you have reviewed  
4       so far seems to indicate that there is a very large  
5       group statistically interested in non-consumptive  
6       activities, and you have indicated that is the kind of  
7       target group or client group, among others, that the  
8       Wildlife Branch should be managing for.

9                   What does that mean, what does this data  
10      mean, the data in terms of non-consumptive activities,  
11      what does it mean for the management and planning of  
12      the timber resources, or is there a connection?

13                  A.  Yeah, I think there is a connection.  
14      Clearly with the large group of, relatively large group  
15      of naturalists that were in the sample group 3 composed  
16      of about 2,700 people, this is a group that is, I  
17      think, representative certainly of the kinds of trends  
18      that we see in society today for more environmental  
19      consciousness and, if anything, that group is -- well,  
20      I guess I would hypothesize that in the 1987 data that  
21      group will be much larger than it is in this current  
22      year, 1982.

23                  The obvious part of this is, is that such  
24      activities depend on the habitat being available for  
25      the sorts of activities that these people have in mind.

1 To watch wildlife there needs to be not only wildlife  
2 but also wildlife habitat, and if - and that's another  
3 part of the analysis that needs to be done, which I  
4 haven't done yet - if these people turn out to be bird  
5 watchers, for example, and if these people are  
6 interested in watching songbirds as they migrate north  
7 and south through, for example, Point Pelee National  
8 Park to their summer grounds in the boreal forest, then  
9 clearly there has to be boreal forest habitat for them  
10 to go to.

11 That, I think, is a significant issue,  
12 even though it's not necessarily implicated in the  
13 actual area of the undertaking, except where the area  
14 of the undertaking is habitat for such activities as  
15 the songbirds carry out there.

16 MADAM CHAIR: Excuse me, Dr. Payne, just  
17 a clarification. What you are measuring here is the  
18 interest of these groups to do an activity, not the  
19 fact that they do the activity?

20 THE WITNESS: No.

21 MADAM CHAIR: The questionnaire wasn't:  
22 Do you birdwatch, the questionnaire was: Are you  
23 interested in an activity?

24 THE WITNESS: There are several questions  
25 on that, yes, and clearly another stage of the analysis

1 would be to take these groups and to see what the  
2 various groups actually did in terms of participation.

3 MADAM CHAIR: Mm-hmm, thank you.

4 THE WITNESS: Let meet put some flesh on  
5 these groups then and perhaps make them a little more  
6 rich for us. I brought into the analysis  
7 socio-economic and demographic characteristics to try  
8 and do just that.

9 Our group 1, the public, is approximately  
10 equal in terms of men and women, gender doesn't seem to  
11 have much to do there as a variable of any great  
12 importance. 68 per cent married, not a particularly  
13 surprising figure I suppose, but 25 per cent are over  
14 the age of 55. That is a fairly important figure, for  
15 two reasons: One, as we keep on hearing from variety  
16 of sources, our population is aging and we can expect  
17 that the population that's over 55 will perhaps expand  
18 fairly substantially. Some of the people that are  
19 going to be in that 55 category are going to be people  
20 like these.

21 But there's another dimension in here  
22 that is important and, that is, is that other studies  
23 have consistently shown that outdoor activities,  
24 regarding wildlife or anything else, decline as one  
25 gets older. So there is, I suppose, a life cycle

1 dimension to this one as well.

2 But certainly, as you will see when we  
3 talk about the other four groups, this group has a  
4 relatively higher proportion of people over the age of  
5 55 than do other groups which helps make this group  
6 more distinct.

7 26 per cent of these have at least some  
8 post-secondary education, I say at least some, not to  
9 be particularly pejorative, but to indicate that these  
10 individuals may not have actually completed, say,  
11 university, they may have completed a post-secondary  
12 certificate program or other program at a community  
13 college but, in any case, they have at least set foot  
14 in a tertiary institution of some description in the  
15 province.

16 20 per cent have never worked or are  
17 retired. Another significant factor, I think, that  
18 connects nicely with the 25 per cent who are over the  
19 age of 55. And the next largest occupational category  
20 being sales and service at 19.5 per cent, and you find  
21 that the sales and service category comes up fairly  
22 highly again and again reflecting, of course, that this  
23 is a fairly important category within the province as a  
24 whole, not in any particular group.

25 Group 2, the conservationists, also again



1 a more or less even split between males and females,  
2 here though only 55 per cent are married and a large  
3 proportion are under 25 years of age and a very small  
4 proportion are over 55 years of age.

5 These are different people again, all  
6 right, not necessarily married people. Again,  
7 higher -- the secondary or post-secondary education is  
8 certainly higher than it was in group 1, the public,  
9 but as you can see, that in terms of occupation we  
10 still get a substantial number in sales and service but  
11 professions now are fairly high at 18 per cent of the  
12 workforce.

13 Group 3, the naturalists, are split 60/40  
14 with women in the predominant position, 63 per cent are  
15 married, again not particularly different than group 1,  
16 but different than group 2.

17 29 per cent are under the age of 25, and  
18 14 per cent are over 55; in other words, a fairly good  
19 split throughout the various age categories.

20 41 per cent have at least some  
21 post-secondary education, 19 per cent are in the  
22 professions, and sales and service are still the  
23 largest category at 21 per cent of the group -- of that  
24 particular group.

25 My group 4, the hunters, not surprisingly

1 is comprized predominantly of men, 90 per cent in fact.  
2 63 per cent are married, 32 per cent under 25, but  
3 again, this particular group is not particularly well  
4 represented in the senior age groups and, again, that  
5 reflects not only the sorts of activity dimensions that  
6 are associated or can be associated with this group,  
7 but also the relatively long and slow decline that  
8 occurs in activity with people in our society.

9 25 per cent have at least some  
10 post-secondary education, 23 per cent are in the  
11 fabrication and construction industries and, again,  
12 sales and service are there as well, this time primary  
13 occupations such as mining come up fairly high in the  
14 occupational status of this particular group.

15 Group 5 is somewhat similar to group 4,  
16 again predominantly male, here only 15 per cent, 62 per  
17 cent are married, 35 per cent are under the age of 25,  
18 there's a bigger representation there than there is  
19 with the former group.

20 22 per cent, surprisingly, have only  
21 elementary education, and this is a real departure from  
22 any of the other groups in that this group is, I  
23 suppose, on average the lowest educated. Another 18  
24 per cent at least some post-second education. 20.5 in  
25 primary occupations, another 20 in sales and services.

1                   So what do we make of this? Well, I  
2 think that the groups themselves as we saw are  
3 different in terms of the kinds of interests they have  
4 with respect to wildlife, and that is a significant  
5 factor right away because it allows us to identify  
6 those market segments. More than that though, you can  
7 see here that the groups themselves are different in  
8 other, at least social, economic and demographic ways  
9 that are also significant.

10                   We can see, for example, the  
11 predominance, the great predominance of men in the last  
12 two groups, and well - not complete - but certainly the  
13 low percentage of women in the sample who are  
14 interested in these kinds of activities. That provides  
15 certainly a kind of focus that the Wildlife Branch  
16 could use to target these particular groups for the  
17 sorts of services and goods and programs that the  
18 Wildlife Service -- that the Wildlife Branch has  
19 traditionally, in this case, put in place.

20                   But there are lots of other people who  
21 are in other groups that have different interests and  
22 who are socially, economically and demographically very  
23 different, and one way I suppose that this information  
24 could be used right at the moment is to hold it up  
25 against existing program expenditures of recent

1 programs and see who is being served and who isn't  
2 being served.

3 And a second way, of course, would be to  
4 say: Well, if this group is not being served, why are  
5 they not being served and can we do something to  
6 reallocate the sorts of interests that -- the sorts of  
7 expenditure that we make so that such groups can be  
8 served.

9 Now, this is a start to the kind of  
10 analysis that I have in mind that could be done by the  
11 Ministry of Natural Resources. The information that is  
12 available in the Canadian Wildlife dataset would allow  
13 one, having identified groups like these, to take the  
14 next step and say: Right, what do these people  
15 actually do, and then to take the next step after that  
16 and say: If these people are interested in this and do  
17 this, what kinds of benefits do they actually accrue,  
18 what sort of expenditures do they make for their  
19 various trips to photograph wildlife or to hunt  
20 wildlife, what kind of expenditures do they make on  
21 accommodation, what kind of expenditures do they make  
22 on equipment, what kind of expenditures do they make on  
23 fuel and so on.

24 And the information is there to do just  
25 that. What we could end up with then is a group of



1 people of Ontarians, based on values or here, as the  
2 CWS has put it, interests who take part in specific  
3 activities and who report expected specific amounts of  
4 information -- or, rather, of money and time on those  
5 activities. What we have got then is a way to connect  
6 values on the one end with activities in the middle and  
7 benefits to the Ontario economy, not to mention to the  
8 individuals themselves, at the other end of that line.

9 And that then gives us the potential at  
10 least to begin to talk about the kind of cost/benefit  
11 analysis that certainly will be explained to you in  
12 much greater detail in FFT Panel 7 and which you  
13 perhaps have been able to read Dr. Bev Driver talking  
14 about in his paper in one of the source books.

15 And I think, I hope -- I hope you can see  
16 why I have maintained several times in these hearings  
17 that this information is rich in content, there's a lot  
18 that can be done with it, a lot of different things can  
19 be done with it.

20 What can be done with it, I suppose, is  
21 virtually limited only by what needs to be done with  
22 it, by what the Ministry needs to do with it. We  
23 could, for example, if we wanted to, pull out those  
24 people that are predominantly interested in watching  
25 birds and we could do a very detailed assessment on

1 those people and come to understand them and their  
2 contribution to Ontario's economy much better I think  
3 than we do now. And, what's more, we could do it for  
4 1982 and we could do it again in 1987. We could look at  
5 how one year has changed from the other year, and we  
6 might find that it's gone up, we might find that it's  
7 gone down, but it provides a very, very good reality  
8 check to the kinds of programs that are presently in  
9 place in the Ministry of Natural Resources.

10 Thanks.

11 MR. LINDGREN: Q. Dr. Payne, I think I  
12 have three questions to you on this topic. First of  
13 all, getting back to our discussion of the August 1st  
14 letter from the MNR dated -- or dated August 1st, 1990  
15 and marked as an exhibit, is this CWS data and analysis  
16 the kind of socio-economic information about MNR  
17 clients that the MNR has to gather and, more  
18 importantly, use for integrated resource management in  
19 planning purposes?

20 A. Yes, I think it's a very good  
21 representation of the kinds of information that ought  
22 to be out there or ought to be available and ought to  
23 be used.

24 As I said, I have a minor, I think,  
25 qualification or consideration or concern about the

1 lack of motivation stuff in there, but I think that by  
2 and large the amount of information that's here and the  
3 ways in which it can be used make that almost an  
4 academic concern at this point.

5 Q. And, Dr. Payne, you mentioned a few  
6 moments ago the need for the Wildlife Branch to  
7 consider this information in order to provide for these  
8 clients or these target groups. Does that mean that  
9 this Branch, the Wildlife Branch needs to undertake  
10 integrated planning or management with the Timber  
11 Branch in order to achieve that?

12 A. Yes. I think this information and  
13 how it's used is going to be used best if it's going to  
14 be used in that kind of integrated context. The  
15 example I gave you earlier of individuals who might  
16 want to watch songbirds as they migrate through Point  
17 Pelee is clearly connected to the boreal forest because  
18 these songbirds nest in the boreal forest.

19 Without the boreal forest habitat, those  
20 songbirds are going to decline and not only is the  
21 activity of birdwatching going to decline, but the  
22 sorts of benefits that come to the Ontario economy, not  
23 to mention the residents of the province that are  
24 associated with that activity, are also going to  
25 decline. So there is clearly a need to make sure that

1 the Ministry, as a whole, is aware of this kind of  
2 information.

3 Q. Do you have any other examples of how  
4 this data might affect the management decision with  
5 respect to the timber resource?

6 A. I think that the examples in here,  
7 rather, the group in here who were specifically  
8 identified as hunters and specifically interested in  
9 that kind of wildlife activity is another clear  
10 example. Certainly the idea that hunting is a good  
11 idea, whether it's for moose, deer or whatever it is,  
12 is an expression of a recreational non-timber value and  
13 it is something that is relevant to the northern part  
14 of the province, to the area of the undertaking just as  
15 it's relevant to other areas of the province.

16 Q. And, therefore, in your view, should  
17 those views and those values be taken into account when  
18 planning for and managing timber resource?

19 A. Yes, I think they have to be.

20 MR. LINDGREN: Unless you have any  
21 further questions on this dataset, I think we are  
22 finished with this portion of the evidence, Madam  
23 Chair.

24 MADAM CHAIR: Let's move on.

25 MR. LINDGREN: Q. Dr. Payne, if I could,



1 I would like to ask you to turn to page 53 of the  
2 witness statement and in the bottom paragraph you refer  
3 to the Ministry's 1977 Lake of the Woods General Land  
4 Use Plan which has been filed as Exhibit 23 in this  
5 proceeding, and you go on to say some fairly positive  
6 things about this plan.

7 I am wondering if you could elaborate for  
8 the Board what elements of this plan or the planning  
9 process are attractive to you, and perhaps when you do  
10 that, you can contrast that to what is currently being  
11 done in the context of district land use plans?

12 A. Yes, I could do that. Do you have  
13 this exhibit, Madam Chair, Mr. Martel?

14 MADAM CHAIR: This is exhibit...?

15 MR. LINDGREN: 23.

16 THE WITNESS: 23.

17 MADAM CHAIR: 23. And what is it?

18 MR. LINDGREN: It's the Lake of the Woods  
19 General Land Use Plan.

20 MS. BLASTORAH: Looks like this, Mrs.  
21 Koven.

22 MADAM CHAIR: Okay. Yes, we do.

23 THE WITNESS: All right. If I could, I  
24 would like to call your attention to the first page on  
25 the inside where the date and the provincial stamp and

1 so on is found, you will notice there that the plan is  
2 endorsed by both the then Minister of Natural  
3 Resources, Frank Gillard, and the then Minister of  
4 Housing, John Rhodes. Furthermore, if you look at the  
5 bottom of page Roman numeral (i), the Forward, you can  
6 see that both Ministers have actually signed the  
7 document.

8 Back in the time when SLUP was developed,  
9 and I taught a course at the University of Waterloo  
10 called Recreation Resource Management and I had the  
11 principal author of this plan into that course, his  
12 name from MNR is Mike Miller, and he gave me to  
13 understand at the time that the fact that the plan bore  
14 the signatures of two Ministers of the Crown,  
15 especially one in the case of John Rhodes, the Minister  
16 of Housing who was involved, who had administered the  
17 Planning Act, meant that this plan had not quite  
18 legislative weight, but very close to it. This was a  
19 plan, in essence I suppose, you could say with teeth.

20 MR. LINDGREN: Q. How does that compare  
21 to the district land use guidelines?

22 A. Well, if you look at district land  
23 use guidelines, look at any of them, and you'll find  
24 that they're signed not by the Minister of Natural  
25 Resource but, in fact, by the relevant regional

1 director, indicating I think that the DLUGS are not  
2 necessarily Ministerial policy. I would also like to  
3 call your attention to several other parts --

4 MS. BLASTORAH: I am sorry, Dr. Payne, I  
5 just have to interrupt for one moment.

6 Mrs. Koven, I just would like to make it  
7 clear, because I have some concerns and I may have  
8 misheard Dr. Payne, I think he indicated that the  
9 comments he was relating there were come from a  
10 representative of the Ministry of Natural Resource; is  
11 that right?

12 I just have some concern because of the  
13 gloss that's been put on those comments by Dr. Payne,  
14 here. We don't have the gentleman that made the  
15 comments some years ago here to ask about the context  
16 of those or so on, and the gloss that has been put on  
17 those context relates to the weight of these documents  
18 legally. I don't think Dr. Payne would hold himself  
19 out as someone qualified to comment on the legal nature  
20 or status of these documents.

21 The Board has heard evidence about that  
22 exact question to do with this plan in Panel 1, and I  
23 just like to sort of put those comments in context,  
24 that Dr. Payne was putting his own gloss on some  
25 comments that were made by someone some years ago who

1 isn't here to clarify that. I just thought I should  
2 mention that.

3 MADAM CHAIR: Thank you, Ms. Blastorah.

4 MR. LINDGREN: Q. Q. Dr. Payne,  
5 regardless of what Mr. Miller may have indicated to you  
6 some years ago, what's attractive about having  
7 Ministers of the Crown attach their signature to a  
8 planning document such as that, in your view?

9 A. In my view, including not a legal  
10 view by any means, it indicates a degree of commitment  
11 that is quite high.

12 MR. MARTEL: Can I ask a question though.  
13 What's the difference in how this proposal has been met  
14 and adhered to as opposed to the DLUGS? I mean, did  
15 this have a lot more staff working on it, did it  
16 achieve what it set out to do as opposed to what the  
17 DLUGS were supposed to do?

18 Again, I mean, it's a broad question, but  
19 you seem to like this plan. I want to know what your  
20 reception was, or what your perception is of how the  
21 program or the aims or objectives were delivered as  
22 opposed to a different document without a Minister's  
23 signature on it?

24 THE WITNESS: I sought to compare the  
25 two, the original 1977 version and the eventual Kenora



1 DLUG document when it came out, and there are some,  
2 clearly some very important differences, but I'm not  
3 sure of where in the process, as it was determined that  
4 district land use guidelines could be produced after  
5 strategic planning, that this document ceased to be a  
6 relevant working document and the DLUGS came into  
7 actual force.

8 Now, I suppose one could point to June of  
9 1983 when the DLUGS were actually unveiled and say:  
10 Well, that that was the time when this went out of  
11 force and so on, but frankly I don't know the  
12 implementation part of this.

13 My excitement about it is in relation to  
14 what I see is a good planning process and what I see as  
15 a good plan. The implementation, I agree, is another  
16 matter entirely.

17 MR. LINDGREN: Q. Dr. Payne --

18 MR. MARTEL: Well, that's in fact what  
19 the -- I mean, I've seen a room this size full of  
20 studies about northern Ontario, unfortunately most of  
21 them haven't been acted on, so that's what they're  
22 worth.

23 MR. LINDGREN: Q. Dr. Payne, then,  
24 returning to the Lake of the Woods plan, on page 53 you  
25 indicate that, in your view, it effectively balances

1 development and protection and afforded an example of  
2 integrated resource management that deserves wider  
3 appreciation.

4 And you also indicate that, in your view,  
5 it was developed in response to local concerns about  
6 water quality, cottaging, other loyal resource issues.  
7 And on the next page you contrast that with the Kenora  
8 District Land Use Guidelines which you indicate lacks  
9 both the sensitivity to local issues and capability to  
10 achieve integrated resource management.

11 You received an interrogatory from the  
12 MNR on that comment, this is Question No. 22 from the  
13 MNR in the interrogatory package marked as Exhibit  
14 1594, and the MNR asked you for the basis for your  
15 comment that the DLUG lacked sensitivity to local  
16 issues and is incapable of achieving integrated  
17 resource management.

18 What did you mean by those comments?

19 A. Well, what I mean essentially is, is  
20 that the district land use guidelines are the product  
21 of a top-down process, the strategic targets were set  
22 on a program-by-program basis at head office and then  
23 fine-tuned at the regional offices and -- well, not  
24 even at the regional offices, they were fine-tuned for  
25 those three regions, northwestern, northeastern and

1 southern Ontario, and then were fine-tuned further at  
2 each district that eventually produced district land  
3 use guidelines.

4 I think that kind of top-down planning  
5 process, especially in terms of targets, really doesn't  
6 do justice to the kind of differences that exist from  
7 one section of the province, one section of the area of  
8 the undertaking to another. The natural environment is  
9 certainly different, the pressures on the natural  
10 environment are different from point to point in the  
11 province, and I didn't see that in the DLUGS that there  
12 was much sensitivity to any of that; I saw that the  
13 DLUGS were concerned about producing "x" moose hunting  
14 opportunities or "y" cunits of wood of different sorts,  
15 but I didn't see much more about the concerns that  
16 might be locally relevant.

17 Certainly the case of the Lake of the  
18 Woods plan is much broader in that way, it involved to  
19 a great extent local people, it also included, more  
20 specifically than I have seen in any DLUGS, issues  
21 about environmental quality, not just water quality,  
22 but much beyond that.

23 It went out of its way, in fact, to  
24 address the issue of road access a very, very important  
25 issue that we've heard about in these hearings and set

1 really contains some of the ideas that have achieved  
2 currency since that time.

3 In the wider international community, the  
4 idea of a biosphere reserve I spoke about yesterday  
5 where there's a core protected area surrounded by a  
6 periphery where development goes on, that's in there.  
7 The ideas of the World Conservation Strategy to protect  
8 biological diversity and ecological functioning, but  
9 also too to support sustainable development, that too  
10 is in there.

11 MADAM CHAIR: Is it your view, Dr. Payne,  
12 that those ideas are lost, that they were certainly  
13 recognized in this plan but that, for some reason, they  
14 are now removed from the Ministry?

15 I guess my point is, is it your view that  
16 every time something is written by the Ministry with  
17 respect to policy that there has to be an enumeration  
18 of the context of the global or the philosophical aims  
19 and objectives?

20 THE WITNESS: I think that's two  
21 questions. Let me answer the first one first. I don't  
22 really have any evidence that the kind of sensitivity  
23 that I saw in the 1977 plan is lost; I mean, the  
24 individuals that I know in the Ministry seem to be not  
25 much different in 1990 than they were in 1980, they



1       aside one area of the planning area the Alneau  
2       Peninsula area, if you're familiar with it, which was  
3       not to be accessed by roads of any sort, which was to  
4       maintain its wilderness character for the sake of the  
5       tourist operators that were there, as well as anyone  
6       else who wanted to use that area in a wilderness kind  
7       of way.

8                       There was no sense in the DLUGS that I  
9       have been able to see that these kind of decisions,  
10      these balances, if you like, between protecting areas  
11      and opening areas to development or perhaps  
12      progressively opening areas to development was  
13      considered.

14                      The production orientation of the  
15      planning system, as represented by the DLUGS as a  
16      product, was paramount. If something couldn't be put  
17      into that productive orientation it wasn't particularly  
18      well represented in the DLUGS; in fact, continues not  
19      to be represented particularly well in the DLUGS.

20                      And I have always felt, after talking to  
21      Mr. Miller in my class and after looking at the plan in  
22      detail and comparing it with especially the Kenora  
23      DLUGS, that this is an example of the kind of planning  
24      that the Ministry is capable of doing; it's balanced,  
25      it's good planning and, in fact, if you look at it it

1 might be a little more harried in terms of their  
2 workload, but lots of people are.

3 What I think accounts for the difference  
4 between the two is that the kind of balance that is  
5 evident to me in the Lake of the Woods General Land Use  
6 Plan doesn't fit with the management system, with the  
7 planning system which is oriented to producing  
8 production targets and, as a result, since it's not  
9 oriented to it, the Ministry personnel have not been  
10 able to come up with a plan that so well balances  
11 things that were balanced in the Lake of the Woods, in  
12 the Lake of the Woods Plan.

13 Now, your other question?

14 MADAM CHAIR: Well, I guess my question  
15 was simply this: That it's a very easy thing for any  
16 organization or any individual to preface any written  
17 policy with the words, that we incorporate aspects of  
18 sustainable development, that anybody can do that and  
19 say that's what they are doing, but you are saying that  
20 doesn't satisfy in any way what you want an  
21 organization to do, you want to see evidence of that  
22 thinking in the document?

23 THE WITNESS: The Lake of the Woods  
24 General Land Use Plan, I don't think sustainable  
25 development is mentioned anywhere, sustainable yield

1 is, but that's in relation to forestry.

2 There is no sense here that there's this  
3 kind of coding put upon the plan to make it palatable  
4 and to make it sound good for those users out there who  
5 might perhaps look upon it with a critical eye, it's a  
6 plan that addresses local problems and does so in, I  
7 think, a balanced way and has the potential to be  
8 successful, whether it was or not is another question.

9 MADAM CHAIR: And your observation is  
10 that that plan was unique in the circumstances of the  
11 area?

12 THE WITNESS: I'm not convinced either  
13 that it was unique. That the first time I ever came  
14 across any Ministry of Natural Resources planning was  
15 when I was an undergraduate student at the University  
16 of Guelph and I was rooting around in the government  
17 document section of the basement library and I came  
18 upon the Glackmeyer report, which you may or may not  
19 have heard of, but it was an attempt to deal with land  
20 using planning in the Clay Belt region of northeastern  
21 Ontario, and it was really the Ministry who was behind  
22 that, and that was a good plan too, it still today, I  
23 think, probably stands the test of time.

24 So I think what I'm saying here is that  
25 in terms of the planning process I think Ministry

1 personnel are constrained by the existing planning  
2 process which requires them to jump through the  
3 appropriate hoops at the appropriate time to get at the  
4 targets that have been set elsewhere for specific  
5 programs.

6 MR. LINDGREN: Q. Just picking up on  
7 Madam Chair's question, Dr. Payne, relating to evidence  
8 that the MNR has some ecological understanding of the  
9 principles that you've discussed, is there any evidence  
10 that those principles are reflected or incorporated  
11 into the district land use guidelines that you've  
12 reviewed and, if not, should they be?

13 A. There is some. I think -- I made the  
14 point in a response to an interrogatory that the  
15 Thunder Bay DLUGS, for example, have a discussion about  
16 endangered species and clearly that ought to be there,  
17 I mean, the Ministry's responsible for that and it  
18 clearly has an impact not only on land use planning  
19 specifically but also on timber management planning.

20 But what isn't there is any kind of  
21 commitment to it, any kind of this, is what we are  
22 going to do, it's like we wave at it and get on to the  
23 stuff that we can handle such as number of moose to be  
24 harvested, such as cunits of wood to be harvested, and  
25 so on.



1 MR. LINDGREN: This might be an  
2 appropriate spot for the lunch break, Madam Chair.

3 MADAM CHAIR: All right.

4 MR. LINDGREN: If I'm not finished before  
5 the afternoon break, I will certainly be finished  
6 shortly thereafter.

7 MADAM CHAIR: All right. Then, we will  
8 proceed with the scoping session as soon as your  
9 examination of Dr. Payne is completed, so it will be  
10 before four o'clock.

11 MR. LINDGREN: That is my understanding.

12 MADAM CHAIR: Thank you. We will  
13 reconvene at 1:35.

14 ---Luncheon recess at 12:05 p.m.

15 ---On resuming at 1:35 p.m.

16 MADAM CHAIR: Good afternoon. Please be  
17 seated.

18 Mr. Lindgren?

19 MR. LINDGREN: Thank you, Madam Chair.

20 Q. Dr. Payne, at the break we were  
21 discussing your comparison between the Lake of the  
22 Woods General Land Use Plan and the Kenora District  
23 Land Use Guidelines, and I would like to refer you back  
24 to Question No. 22 in the package of interrogatories I  
25 filed, that's Exhibit 1594, and this is MNR Question

1 No. 22.

2 MS. BLASTORAH: I'm sorry, what was the  
3 number?

4 MR. LINDGREN: MNR Question No. 22, it's  
5 the last page of the document.

6 Q. And in your answer to (a) you  
7 indicate that:

8 "It is worth noting as well that as the  
9 land use planning process was being  
10 carried out, forest management agreements  
11 were being signed outside of that  
12 process, effectively putting timber  
13 interests ahead of all other MNR  
14 programs in terms of priority."

15 Perhaps you can explain or elaborate upon  
16 that statement?

17 A. Yes. The district land use planning  
18 activity culminated in 1983, in June I believe, with  
19 the release of the district land use guidelines, but of  
20 course, the first forest management agreements were  
21 signed between timber companies and the Ministry in  
22 1980.

23 It strikes me as being a little bit  
24 backwards to have such a large amount of land tied up  
25 for timber purposes through forest management

1 agreements when the Ministry is otherwise going through  
2 a fairly comprehensive, or attempted a fairly  
3 comprehensive planning process that was also supposed  
4 to deal with allocations of land and integration --  
5 program integration moving toward integrated resource  
6 management.

7 Q. And does that mean, Dr. Payne, that  
8 the signing of FMAs and tying up, as it were, of these  
9 large areas of land as you've described them, does that  
10 make integration more difficult or even impossible?

11 A. I would say it certainly makes it  
12 difficult, as to impossible, that might be taking it a  
13 bit far, because the land left over is, I suppose, up  
14 for grabs by the other program areas in the Ministry,  
15 but certainly it's not the kind of integrated resource  
16 management that I was advocating this morning.

17 Q. Moving on to page 54 of your witness  
18 statement, under the heading The Capabilities of Staff,  
19 you make a number of comments about the capabilities of  
20 staff in the context of integration and in the context  
21 of non-timber values.

22 And can you briefly summarize the thrust  
23 of your comments here?

24 A. In thinking about whether or not MNR  
25 as an organization is capable of, first of all, meeting

1       their mission statement and doing so in the integrated  
2       resource management fashion, I was a bit tossed here in  
3       terms of whether or not one ought to place the blame,  
4       so to speak, on the actual personnel at the Ministry or  
5       whether there was something else to blame.

6               It strikes me that what I had to say  
7       about the management system this morning is quite  
8       relevant. The management system and the planning  
9       system impose constraints on how Ministry staff  
10      operate, the whole target orientation that I spoke  
11      about this morning I think is quite germane to that,  
12      and make it difficult for the Ministry employees,  
13      professional or not, to operate in other ways.

14             One of the reasons why I get all goose  
15      bumps about the Lake of the Woods General Land Use Plan  
16      is because it appears that that kind of constraint is  
17      not -- was not placed on the Ministry staff in that  
18      circumstance, and a good plan came out of that  
19      exercise.

20             It seems to me, though, fair to say that  
21      the Ministry, for any number of reasons, the Ministry  
22      staff for any number of reasons are unable to keep up  
23      with developments in the broad field of natural  
24      resource management. I think there are perhaps reasons  
25      for this, but in terms of appreciating that resource



1 management has changed and, if anything, has become  
2 more complex, that kind of appreciation doesn't seem to  
3 be evident in terms of what the Ministry staff do at  
4 the moment and I guess that is my main consideration.

5 So it's not the staff can't do it, I  
6 think there is evidence that they can do it and have  
7 done it well in the past, but the management system and  
8 planning system at the moment constrain them, and I  
9 think there's need for them to put themselves in touch,  
10 I suppose, with people who are doing resource  
11 management in a different way. Whether that comes  
12 through contact with other similar organizations in  
13 this country or other countries, I suppose, there are  
14 any number of ways to do that.

15 MR. MARTEL: Is part of that due, in your  
16 opinion, to the reduction in staff that has occurred?

17 THE WITNESS: I think that's something  
18 that people I have known in the Ministry have explained  
19 to me as being a big problem for them. I recall in the  
20 mid-1980s talking to people in the Ministry who had  
21 suddenly gone from being a park supervisor to also  
22 being a land supervisor in one fell swoop. So I think  
23 there was an increased workload on people that made it  
24 difficult to keep up with their own work, never mind  
25 sort of having time to smell the roses, so to speak, or

1 to explore some of the things going on in the  
2 professional field of which they were a part.

3 MR. LINDGREN: Q. In light of that  
4 comment, Dr. Payne, what kinds of staffing or staff  
5 training would be necessary to address some of the  
6 concerns that you've just outlined?

7 A. Well, I think in sort of light of my  
8 evidence this morning, I think there's a greater need  
9 for social scientists to be employed in the Ministry.  
10 I think these people should be strategically placed and  
11 perhaps the largest number of them -- well, perhaps a  
12 good number of them should be in head office to  
13 participate in strategic planning and to begin the  
14 translation process of socio-economic information for  
15 the use in the field.

16 Probably there also needs to be at least  
17 one social scientist who is at the regional level who  
18 can provide support for people in the field who are  
19 using social science information, in particular,  
20 planning programs, timber and otherwise.

21 But I think too that the Ministry staff  
22 needs to be given the opportunity to take advantage of  
23 some of the formal and informal opportunities for  
24 education and training which currently exist. I know  
25 that in -- well, there's a bi-annual conference which

1 began in 1986 called Social Science in Resource  
2 Management to which U.S. Forest Service people, U.S.  
3 Bureau of Land and Management people, as well as more  
4 parks oriented people such as from the National Park  
5 Service in the U.S. regularly attend, as well as  
6 university people.

7 Those sessions, and there have been three  
8 of them, the most recent one in the spring in Texas,  
9 those sessions are a very good coming together of  
10 people who have very often similar issues, similar  
11 problems and who have different ways of approaching  
12 those similar problems.

13 Apart from certain new ideas and perhaps  
14 new techniques, the simple contact that MNR staff could  
15 achieve with individuals from those other organizations  
16 perhaps for the future cross-fertilization of ideas and  
17 techniques is, in itself, quite beneficial. That I  
18 guess would be an informal kind of opportunity.

19 But I think there are plenty of formal  
20 opportunities available out there that the Ministry  
21 ought to be encouraging its staff to take advantage of.  
22 My own university, Lakehead University, has a  
23 certificate program in environmental assessment which  
24 was developed with the University of Waterloo and I  
25 know that there are MNR staff in and around the Thunder

1 Bay region taking those courses.

2 I am not sure whether those courses are  
3 taken on their own initiative or whether they are  
4 subsidized by the Ministry or any of that stuff. That  
5 certainly is an opportunity that exists and should be  
6 made more use of.

7 In addition to that, I suppose there are  
8 plenty of opportunities for Ministry staff to have  
9 workshops that address specific issues that are  
10 required to be resolved in timber management planning.  
11 Certainly if it's not possible for all the Ministry  
12 people to be in one place because of costs perhaps,  
13 it's usually possible to make the actual workshop  
14 available, perhaps in video format, and technology  
15 certainly available. That's no longer really a  
16 problem.

17 The number of possibilities, both in the  
18 formal side and informal side, are almost staggering  
19 and I think making better use of them and having the  
20 Ministry encourage its staff to use these opportunities  
21 would produce an improvement in staff capability.

22 Q. And, Dr. Payne, would you therefore  
23 support a term and condition that would require the  
24 Ministry to provide these informal and formal  
25 opportunities for its staff?



1 A. Yes, I would support that.

2 Q. A few moments ago you indicated the  
3 need for MNR staff to be able to respond to changes in  
4 its operating environment, and on that point I would  
5 like to refer you to the Eidsvik paper that we filed  
6 yesterday as Exhibit 1596.

7 MR. LINDGREN: Madam Chair, this is the  
8 paper entitled Policy Formulation and Communication in  
9 Changing Times, and it was addressed to the Ministry of  
10 Natural Resources dated April, 1990.

11 MS. BLASTORAH: I'm sorry, what was the  
12 exhibit number again, Mr. Lindgren?

13 MR. LINDGREN: Exhibit 1596.

14 Q. Dr. Payne, I would like to put some  
15 of these statements in this article to you for your  
16 opinion and comment. Do you have this document, Dr.  
17 Payne?

18 A. Yes, I do, Mr. Lindgren.

19 Q. I would like to start by referring  
20 you to page 9 of the document and a few lines from the  
21 top on page 9 you will see a statement that:

22 "How resources are allocated and how they  
23 are managed is no longer seen to be the  
24 prerogative of government and Industry  
25 but is a public issue."

1                   And then skipping down to the middle of  
2           the next paragraph:

3                   "If anything, the Temagami situation  
4                   demonstrates that timber management  
5                   cannot be separated from forest  
6                   management, which cannot be separated  
7                   from land management, which cannot be  
8                   separated from socio-economic and  
9                   political processes; alternately, it is  
10                  these latter processes that will become a  
11                  greater determinant of your management  
12                  policies."

13                  Do you agree with that assessment, Dr.  
14       Payne?

15                  A. Yes, I certainly do.

16                  Q. And do you agree, therefore, that  
17       timber management can't be separated from forest  
18       management, which cannot be separated form land  
19       management and the larger social, economic and  
20       political processes?

21                  A. Yes. I think Mr. Eidsvik has got  
22       this quite right. Certainly the point, giving Industry  
23       the opportunity to utilize the forest for productive  
24       purposes is that there will be benefits accruing to the  
25       public in Ontario, consequently it's that same bottom

1 line, the Ministry's mission statement, that Mr.  
2 Eidsvik, I think, is addressing here.

3 Q. Thank you. And continuing on to the  
4 top of page 10, the first line says:

5 "In future, land use decisions will  
6 require more comprehensive resource  
7 inventories before the land allocation  
8 process begins."

9 And then skipping to the last two lines  
10 of that paragraph:

11 "Inventories will require  
12 interdisciplinary approaches and public  
13 input. Decision-making processes will  
14 need to be more transparent than they  
15 have been in the past."

16 And again, can I ask you for your  
17 comments on those statements?

18 A. Yes, I certainly agree with both of  
19 them. With respect to the first one, I think that if  
20 we are going to make the effort to find out what people  
21 value in the natural environment, then we need to know  
22 where those values, natural resources and natural  
23 features, actually are and, clearly, it's possible,  
24 certainly technically possible now, to develop very  
25 sophisticated computer-based geographical information

1 systems which enable what Mr. Eidsvik suggests in that  
2 first sentence to occur.

3 With respect to his comment at the end of  
4 that paragraph, I think I agree most definitely, it is  
5 important that individuals who are interested in the  
6 decision-making process of the Ministry with regard to  
7 timber management planning have the opportunity to  
8 understand how decisions were made and to have an  
9 opportunity to be involved in those decision-making  
10 processes from start to finish. Certainly that would  
11 give them the opportunity or give the decision-making  
12 processes a great deal of transparency.

13 Q. I have two other comments from the  
14 article that I would like to put to you for your  
15 opinion. The first is found on page 13 in the first  
16 full paragraph, and in that paragraph there's an  
17 indication that:

18 "Thus, for resource managers there is a  
19 growing challenge. Policy changes will  
20 be needed in the 90s to ensure that  
21 personnel are fully aware of these shifts  
22 in public perception and that they have  
23 policy guidelines and training so that  
24 they can cope with them.

25 In brief, this may mean a



1                   significant change in current recruiting  
2                   practices. There will be a need for  
3                   broader range of professional  
4                   expertise."

5                   Do you agree with that statement?

6                   A. Yes, I certainly do. It echoes  
7                   certainly the points that we drew to your attention,  
8                   Madam Chair, Mr. Martel, this morning in relation to  
9                   the CRESAP report.

10                  It speaks to the need for improved and  
11                  different training and professional background a  
12                  resource management agency like the Ministry will  
13                  require, and it also speaks to the idea I was putting  
14                  to you this morning, that it's necessary for the  
15                  Ministry of Natural Resources or any government  
16                  organization to make sure that it's able to understand  
17                  what's happening in its operational environment, to  
18                  make sure that it can understand what people are  
19                  demanding of it and what people count to be important.

20                  Q. The final comment, Dr. Payne, that I  
21                  would like to put to you is found on page 15, and there  
22                  we find a statement that:

23                         "Thus, in formulating new policies, my  
24                         message is simple: Recognize that your  
25                         Constituency is very broad, make certain

1                   that your information base is solid, have  
2                   right people in place to analyse  
3                   situations and to communicate with the  
4                   public, make decisions and pray a  
5                   little."

6                   Well, leaving aside the last comment  
7           there, do you agree --

8                   MS. BLASTORAH: What the make decisions?

9                   MR. LINDGREN: Well, we want decisions  
10           made, I'm not sure about prayer.

11                   Q. But with respect to the thrust of  
12           that statement, do you essentially accept or agree with  
13           it?

14                   A. Yes, I agree entirely with it.

15                   Q. And that is consistent with the  
16           evidence that you've given to this Board?

17                   A. It certainly is.

18                   Q. I would like to turn to page 57 of  
19           your witness statement. And in this section of your  
20           witness statement you deal with the treatment of  
21           non-timber values within the current timber management  
22           planning process and you indicate, using the Red Lake  
23           plan, that non-timber values are not being properly  
24           managed in your view.

25                   First of all, can I ask you, you've read

1 the Red Lake Crown Management Unit Plan?

2 A. Yes, I have.

3 Q. And why do you say that this plan  
4 demonstrates inadequate management of non-timber  
5 values?

6 A. Well, the Red Lake plan seems to  
7 typify the constraints approach to the non-timber  
8 values that the Ministry has been using. In Addition  
9 to that, the confusion over just what constitutes  
10 non-timber values is evident here.

11 The discussion of non-timber values is  
12 very different than the definition of non-timber values  
13 as I've defined them, and there is not really any clear  
14 understanding in the evidence, nor the plan that the  
15 Ministry really understands them here. In some cases  
16 we are talking about things, in some cases it's  
17 suggested that integrated resource management concept  
18 presumably will deal with non-timber values.

19 Q. And do you have any comments with  
20 respect to the make up of the planning team in terms of  
21 the integration or consideration of non-timber values?

22 A. I think the make up of the planning  
23 team was essentially deficient. It should, especially  
24 in this particular case where there were no district  
25 land use guidelines to fall back on, it should have

1       been encumbent upon the Ministry to try and bring  
2       together the widest group of people possible to deal  
3       with this particular timber management plan in order to  
4       try and get some expression, at any rate, of how people  
5       in the Red Lake District feel about timber management  
6       issues and non-timber management -- non-timber issues  
7       in the particular planning area.

8                   The fact that that didn't occur means  
9       that one of the few means available to get any kind of  
10      consideration of non-timber values within the plan  
11      essentially was not taken advantage of.

12                   Q.   In your opinion, Dr. Payne, should  
13      non-timber values be integrated into the timber  
14      management planning process and be explicitly  
15      inincorporated into the plans and, if so, where in the  
16      process would you fit them in and how do you fit them  
17      in?

18                   A.   Well, I certainly believe that they  
19      ought to be in timber management plans, they ought to  
20      be also, I think, perhaps in more detail in the  
21      district land use guidelines.

22                   And clearly the situation in the Red Lake  
23      District where there are no district land use  
24      guidelines, virtually demands that concerns about  
25      non-timber values, attempts to quantify them and put



1       them in as objectives, has to be there.

2                       Q.   And where would non-utilitarian  
3       values such as biodiversity or ecological functioning  
4       fit into the process?

5                       A.   Well, as I said yesterday, I think  
6       those kinds of values may not lend themselves  
7       particularly well to out and out objective statements  
8       and, consequently, in order to get them into the  
9       planning process in the Red Lake District or anywhere  
10      else in the area of the undertaking, I think it's  
11      necessary that these be firmly set out in forest policy  
12      and just as firmly set out in Crown land management  
13      policy, two rather higher issues that should help to  
14      guide timber management planning.

15                      Q.   On that point, I would like to go  
16      back to the discussion that you had yesterday with  
17      respect to the Ministry's definition of integrated  
18      resource management, and you seemed to indicate it was  
19      a program type of integration as opposed to a value  
20      type of integration.

21                      In your opinion, does the Ministry's  
22      current definition of integrated resource management  
23      imply or require a resource-by-resource approach?

24                      A.   Yes, I think it does.  It definitely  
25      is an attempt to reduce conflicts between and among

1 program areas rather than to take the wider view of  
2 integrated resource management which deals with  
3 producing a best mix of opportunities from natural  
4 resources.

5 The functional nature of MNR planning, as  
6 represented in the timber management process, means  
7 that that kind of best mix approach can't come out in  
8 the appropriate manner and that the best we can hope  
9 for seems to be a kind of constraints approach to  
10 non-timber values.

11 Q. You've indicated that you are not  
12 satisfied with the Ministry's approach or definition of  
13 integrated resource management. How do you define or  
14 perceive integrated resource management?

15 A. I see it in, I suppose, two stages;  
16 one, the basic idea behind resource management per se;  
17 namely, the identification of an objective which is  
18 being sought from a particular resource, an evaluation  
19 of alternative ways of achieving that objective and  
20 then a selection of that objective which best reaches  
21 it, reaches the objective.

22 The integrated part I think comes in in  
23 terms of a cost/benefit analysis that will allow an  
24 agency to look at the benefits that are coming from  
25 each particular potential use of a resource and make

1 tradeoffs so that we end up with a best mix.

2 I use the term too, best, rather than  
3 maximum or biggest, to indicate here that the other  
4 concerns which are part of a wider view of cost/benefit  
5 analysis; namely, I think, a commitment to equity or  
6 something of that sort, a concern about perhaps,  
7 especially in the area of the undertaking, the social  
8 stability of communities. That is part of this best  
9 mix; certainly not very quantifiable, I don't think,  
10 but it's certainly a consideration.

11 And also, I think part of the best mix  
12 has to be a concern about the integrity of the  
13 ecological system. That too may not lend itself  
14 particularly well to expression in anything other than  
15 policy for the forests and policy for Crown lands  
16 management.

17 Q. I would like to know, Dr. Payne, as  
18 to whether or not your definition of integrated  
19 resource management necessarily means no logging. And  
20 I will give you the context for the question.

21 It's FFT's position and recommendation  
22 that there may well be certain areas that may lend  
23 themselves well to intensive forest management,  
24 whatever that may mean, but is that consistent with  
25 integrated resource management?

1 A. The idea that...?

2 Q. There are some areas that might be  
3 intensively managed for industrial use?

4 A. Yes, I think that is certainly  
5 consistent. The timber industry does produce  
6 quantifiable, definable economic benefits, certainly  
7 capable of producing social benefits as well in terms  
8 of employment, for example, and I think that the use of  
9 forests in the area of the undertaking certainly ought  
10 to be considered from the timber as well as the  
11 non-timber point of view.

12 And it's quite possible that part of the  
13 best mix that we determine for a particular district  
14 will probably include logging.

15 Q. Are there any jurisdictions, to your  
16 knowledge, where integrated resource management as you  
17 define it is being practised or attempted?

18 A. Two for sure. One in the U.S. on  
19 national forests through the efforts of the U.S. Forest  
20 Service and I think, in a beginning way - I am a bit  
21 tentative here because it's still in its early days in  
22 this particular example - but the Government of British  
23 Columbia has, through it's Ministry of Forests, begun  
24 to utilize one of the tools that the U.S. Forest  
25 Service has used fairly successfully in its national



1 forest plans.

2 Q. And, Dr. Payne, I understand that  
3 tool is something called the recreation opportunities  
4 spectrum, or ROS for short?

5 MR. LINDGREN: And perhaps the Board and  
6 the parties can turn to Exhibit 1595 which is the Clark  
7 and Stankey paper on ROS and that was filed yesterday,  
8 Madam Chair.

9 Q. Do you have a copy of that, Dr.  
10 Payne?

11 A. Yes, I do.

12 Q. And perhaps while referring to  
13 appropriate passages or pages in this document, can you  
14 briefly explain what ROS is, how it works, and what it  
15 can be used for?

16 A. Yes, I think I can do that, certainly  
17 give it a try. The ROS is a framework for making  
18 decisions about land use in a multiple use or  
19 integrated resource management context. It attempts to  
20 identify settings; that is, areas within which certain  
21 kinds of recreational activities may be supported. So  
22 I suppose first and foremost it's an inventory  
23 methodology or framework which is geared toward  
24 identifying a supply of recreation opportunities.

25 Those opportunities are conceptualized in

1 a very specific way and in a way that reflects forest  
2 service as well as social science experience with  
3 understanding people who take part in recreation in  
4 natural areas.

5 The ROS in its, I suppose, ideal form or  
6 model form suggests that there are six classes of  
7 settings for recreation, and those six begin at an  
8 urban end. By urban, the drafters of the ROS  
9 understand modified, perhaps with built structures,  
10 hydro lines, roads and people, many people.

11 At the other end, at the extreme end,  
12 which is why it's called a spectrum of course, is what  
13 we would call wilderness and what they call primitive.  
14 At that end there is virtually know human modification  
15 and certainly no permanent human modification and there  
16 are no services of the kind that we consider to be  
17 modern services, roads of any standard, certainly hydro  
18 lines and things like that, and there are very few, if  
19 any, people, and the people who are likely to be  
20 encountered there by another primitive recreator would  
21 probably be few and far between and they would not be  
22 staying there any kind of permanent basis.

23 Q. Excuse me, did you say there would be  
24 no roads and no hydro lines in a wilderness setting?

25 A. In a wilderness setting, yes,

1 according to the ROS. You should note here that the  
2 Forest Service planning is somewhat - somewhat -  
3 it's -- certainly the context of it is rather different  
4 from what we currently have in Ontario because many of  
5 the designated wilderness areas in the United States  
6 are found on some forest service lands, so you can  
7 expect that when we talk about this primitive sort of  
8 setting, we're talking about those areas of wilderness  
9 that have been designated under the American Wilderness  
10 Act. That's not always the case, but probably nine  
11 times out of 10 it is the case.

12 The ROS works by conceptualizing the  
13 relationship between areas that people go to  
14 participate in recreation and the activities that they  
15 participate in and the experiences that they seek to  
16 achieve.

17 In that, the ROS is consistent with the  
18 current research into recreation participation because  
19 that suggests that individuals don't participate in  
20 recreational activity for the sake of the recreational  
21 activity, they participate in that because they are  
22 going to get some experience out of it.

23 So if I were to go tromping off into a  
24 wilderness area I would probably - and you could ask me  
25 this, and I would probably respond this way - I would

1       probably be trying to experience perhaps solitude,  
2       being away from other people, perhaps, and this might  
3       sound funny but I think it's reasonable, communion with  
4       nature, perhaps self-reliance where I can depend on  
5       myself and my own particular skills.

6                       In a way those -- not in a way, those are  
7       the kinds of motivations I suggest were lacking in the  
8       CWS data this morning.

9                       Now, I, I suppose, could take part in a  
10      lot of different kinds of activities in the wilderness  
11      area, in this particular wilderness area I am thinking  
12      of, that would allow me to experience those sorts of  
13      things, but there are some which would not allow me to  
14      do that.

15                      For example, if the area were roaded, if  
16      there were roads into the area, it's quite likely that  
17      I would see other people, perhaps like myself, perhaps  
18      not like myself and perhaps many other people, that  
19      would interfere with my hope for solitude and may  
20      interfere too with my hope to commune with nature.

21                      Depending on the sort of activity I chose  
22      to participate in, I may require a great deal of  
23      services to support the activity. The one that always  
24      comes to mind is hang gliding for some strange reason.  
25      I need a way to get to the top of the mountain I was



1 fool enough to jump off of, and that implies roads and  
2 it probably also implies that, should I break my back  
3 or my leg or some other such thing after I have done  
4 this particular activity, somebody should also be there  
5 to haul me out.

6 Neither of those, the roads or the sort  
7 of safety features or safety services that I have  
8 talked about there, are particularly relevant in  
9 wilderness and many people, especially those who are  
10 real wilderness fanatics, would argue that having those  
11 things available would, in fact, take away from their  
12 experience, would damage that experience.

13 Now, at the other end of the scale it's  
14 clear that if I sought to go, for example, into --  
15 well, I don't know, maybe I should be specific  
16 Centennial Park in Thunder Bay - I don't know if you  
17 know that.

18 MADAM CHAIR: We know it very well, Dr.  
19 Payne.

20 THE WITNESS: Oh good.

21 MADAM CHAIR: We used to take our morning  
22 walks in Centennial Park.

23 THE WITNESS: It's a park that is quite  
24 natural, even though it's an urban park, it's run by  
25 the City of Thunder Bay Parks and Recreation

1 Department.

2 I would be quite foolish if I went into  
3 that park and expected that I could experience  
4 solitude, commune with nature, if I could expect that I  
5 could be self-reliant, and if I thought that perhaps I  
6 -might break my leg I would have to pack for four or  
7 five days to get back out again. Of course, that's not  
8 the case in that particular park.

9 But there are quite a number of other  
10 things that I could do and do quite well. If I wanted  
11 simply to get away from people, that park is natural  
12 enough to allow that to happen, but it's not the kind  
13 of park that anyone would confuse with wilderness.

14 What the ROS tries to do is to  
15 systematize these relationships amongst experiences,  
16 activities and settings so that it's possible for the  
17 Forest Service to inventory what's already out there  
18 and find those areas that might be left alone or that  
19 have been left alone, perhaps as designated wilderness,  
20 perhaps as not, and which could support these kind of  
21 wilderness kinds of activities and experiences, and  
22 moving back the other way, those areas that would still  
23 support recreational activities but perhaps not the  
24 same kinds of experiences that are amenable or that are  
25 available at the wilderness end.

1                   That kind of approach allows the Ministry  
2                   of Natural Resources - not the Ministry of Natural  
3                   Resources - the U.S. Forest Service to inventory  
4                   national forests on the base of how well they can  
5                   contribute along each one of those areas.

6                   The other element of this particular  
7                   conceptualization that relates activities in areas to  
8                   settings is that, the way that the ROS is set up, that  
9                   if you as a manager of an area decide to put in a road,  
10                  then that will affect a change on the experiences that  
11                  are available in that particular setting, and it may  
12                  add to or detract from the kinds of experience or kinds  
13                  of activities that can occur in that setting.

14                  The point is though that the manager, at  
15                  least in the ROS system in a national forest, ought not  
16                  to do that unless he or she has followed through the  
17                  logic of the ROS to see what sort of experiences are  
18                  going to be affected, what sort of activities are going  
19                  to be deleted or added, and what kind of activity or  
20                  what kind of impact all of that will have on the  
21                  overall range of visitors, numbers, who they are, what  
22                  they do, what they need to support their activities,  
23                  and so on, and ultimately on the overall range of  
24                  benefits that are produced by that particular national  
25                  forest.

1                   So it's a dynamic kind of planning tool  
2           that allows a manager to -- well, simulate, to estimate  
3           what might happen if he or she were to do this  
4           particular kind of activity.

5                   The final point about the ROS that I  
6           think is worth bringing out is that the ROS is a  
7           regional or area planning methodology. The sorts of  
8           decisions that are made in the ROS refer to usually  
9           large areas and that is significant because the Forest  
10          Service, after it makes that decision, then comes in  
11          with more site-specific planning in each of the areas.

12                   In other words, there's a two-layered  
13          kind of planning going on here, and that is significant  
14          as well, because some decisions that have to be made at  
15          the regional or area planning level through the ROS are  
16          significant and direct the decisions that are made, or  
17          the plans that are made at the site-specific level  
18          after these area plans have been made.

19                   And I think that too is something that  
20          the ROS does quite well and is something that have  
21          served the Forest Service quite well in making its  
22          decisions about such things as changing the environment  
23          through roads or developments for recreation or these  
24          other sorts of things.

25                   Q. Can I ask you to turn to page 15 of



1 Exhibit 1595, and this is Figure 11, Factors Defining  
2 Outdoor Recreation Opportunity Settings. And looking  
3 at the left-hand column we see a list of the management  
4 factors that are considered and you've discussed  
5 access.

6 I would like to have your comments on  
7 Item No. 2, non-recreational resource uses, and I take  
8 it that that means, for example, extractive industries  
9 such as logging.

10 And there's an indication on the  
11 right-hand side of the scale that those kinds of  
12 extractive industries may be compatible with  
13 opportunity settings in the modern or semi-modern  
14 class, but they may or may not be incompatible with  
15 things on the primitive side of this spectrum.

16 Can you explain what that means?

17 A. That reflects the continuing and  
18 certainly noticable change to the natural environment  
19 that is brought with non-recreational uses like  
20 logging, roads, noise, visual impairment, perhaps other  
21 environmental effects which are certainly there for the  
22 short term and, in many cases, there for the long term.

23 Simply the change in access by roads that  
24 are associated with timber management can greatly  
25 change a setting from primitive to one of the other

1 settings down towards the more developed end, if you  
2 like.

3 It may still be somewhat natural, it may  
4 still be, say, resource rich, but if there are a lot of  
5 people on that particular site or in that particular  
6 area, then it's hard for anyone to really call it a  
7 wilderness situation, in a wilderness situation it's  
8 very unlikely that you are going to encounter people at  
9 all, but clearly by putting roads into an area, you  
10 increase the likelihood of that quite substantially.

11 MADAM CHAIR: Dr. Payne, does anyone have  
12 an estimate of the per cent of national forests that  
13 are set aside under the American Wilderness Act for  
14 primitive areas?

15 THE WITNESS: I think we have that; do we  
16 not, Mr. Lindgren?

17 MR. LINDGREN: In Exhibit 1596, which is  
18 the Eidsvik paper, in the very last page there's an  
19 indication - this is on page 16 - that 17 per cent of  
20 the U.S. national forests have been dedicated to  
21 wilderness management projects. I am not in a position  
22 to confirm or deny that, but that is the evidence in  
23 this particular exhibit.

24 MADAM CHAIR: Thank you.

25 MR. MARTEL: Did anyone --

1 MR. LINDGREN: Sorry.

2 MR. MARTEL: I wonder what that means  
3 though?

4 MR. LINDGREN: Well, we have Mr. Zane  
5 Smith coming to present evidence in relation to FFT  
6 Panel 10. He'd be the ideal person to ask about that.

7 MR. MARTEL: I might forget by then.

8 MR. LINDGREN: I will flag it for you,  
9 Mr. Martel.

10 MR. MARTEL: Will you?

11 MS. BLASTORAH: I will make a note of it  
12 as well, Mr. Martel.

13 MR. COSMAN: If no one else raises it, I  
14 will.

15 MR. LINDGREN: Q. Now, Dr. Payne, you've  
16 indicated that the impacts of, for example, extractive  
17 industries are the sorts of things that should be  
18 considered by the manager with respect to the  
19 allocation of areas that might be used for wilderness  
20 purposes. Is that essentially what you're saying?

21 A. Yes, that's right.

22 Q. If I could ask you to turn to page 23  
23 of the document --

24 MR. LINDGREN: We are still on Exhibit  
25 1595.

1 MADAM CHAIR: Which page was that, Mr.  
2 Lindgren?

3 MR. LINDGREN: Page 23.

4 MADAM CHAIR: Thank you.

5 MR. LINDGREN: Q. And I'm looking at the  
6 right-hand column which is entitled: Inventory  
7 Recreational Opportunity, and you said earlier that the  
8 ROS is an inventory kind of framework.

9 What do you mean by that, what kind of  
10 inventories would be required under this system?

11 A. By inventory I mean that it is  
12 capable of assessing what is the supply of  
13 opportunities for specific sorts of recreational  
14 activities and specific sorts of recreational  
15 activities which are tossed or pitched in in terms of  
16 the activity opportunities experience, opportunities  
17 framework that I spoke of earlier.

18 That is done in an area way; in other  
19 words, the ROS is not concerned, at this point at any  
20 rate, about identifying possible opportunities and  
21 possible recreation activities, per se, it's concerned  
22 about identifying settings, areas that are either  
23 modified in terms of nature being modified, either  
24 already have a population of people using them, perhaps  
25 informally perhaps not, and identifying a spectrum of



1 opportunities based on social densities, based on  
2 amount of modification and these kind of things  
3 and based, as well, as you can see in that paragraph,  
4 on some fairly important criteria, one of which that's  
5 especially important, obviously, is remoteness.

6 The ROS in that sense makes not just a  
7 kind of informed decision about what areas can support  
8 recreation opportunities of what sort, but it makes  
9 what I would call a technical decision on that basis.

10 I don't want necessarily to get into  
11 that, the technical operation at the moment, but we  
12 should not sort of leave you here, Madam Chair and Mr.  
13 Martel, with the idea that somehow someone in the  
14 office of Superior National Forest in Duluth, Minnesota  
15 sort of looks at a map and sort of goes: Yeah, I will  
16 put that there, I will put that there, I will put that  
17 there. It's more technical than that, and for very,  
18 very good reasons it's more technical than that.

19 Q. You have mentioned that one of the  
20 things this does is set out the supply side. Where  
21 does the demand side come in?

22 A. Yeah, that is a good point, and I  
23 think this is a further strength of this particular  
24 approach. The ROS per se doesn't do this, but it  
25 requires that at some point determinations have to be

1 made with respect to carrying capacity in the areas  
2 that it has identified, and that information for  
3 carrying capacity, of course, implicates the demands  
4 for different types of experiences, for different types  
5 of recreational activities.

6 The Forest Service has a mandate, a  
7 mandate to carry out social research and social science  
8 research into recreation activities into what people  
9 want from recreation and that information really guides  
10 and fine-tunes the eventual allocation of recreational  
11 opportunities in the context of the forest plan.

12 So what we get is a kind of two-fold  
13 process; on the one hand the ROS per se identifies  
14 opportunity and, on the other side, we get the social  
15 science information being blended into the ROS planning  
16 system to determine how many of those opportunities and  
17 how many people are associated with those opportunities  
18 and, of course, from that comes that whole range of  
19 benefits that are associated with these different forms  
20 of recreational activity.

21 And, as I said this morning, it's a  
22 requirement the U.S. Forest Service has placed upon  
23 them by the National Forest Management Act to be able  
24 to account for those different kinds of benefits. The  
25 ROS and the information that eventually gets into the

1 ROS does that in a very concrete and, I think,  
2 transparent way.

3 Q. Now, you have indicated a few minutes  
4 ago that an ROS approach has also been initiated in  
5 B.C. And on that point I would like to refer you to a  
6 document in Volume 2 of the source book, and this  
7 particular source book has been marked as Exhibit  
8 1593B.

9 The document is entitled: A Policy  
10 Framework for Managing Wilderness and Provincial  
11 Forests, and it's about three quarters of the way into  
12 the document, Madam Chair. I believe it's filed in  
13 your book as Policy Framework.

14 MADAM CHAIR: Thank you.

15 MR. LINDGREN: Q. Do you have that  
16 document, Dr. Payne?

17 A. Yes, I do, Mr. Lindgren.

18 Q. Perhaps I can ask you to turn to page  
19 19 where we have a pictorial illustration of what the  
20 opportunities spectrum model is about. Perhaps you can  
21 explain to the Board what this means and, in  
22 particular, where does user choice in the centre fit  
23 into all of this?

24 A. I think that is an appropriate place  
25 to start. User choices indicates that the model

1 attempts to integrate the split considerations, the  
2 opportunities with what people want for different sorts  
3 of recreation. I suppose I should also indicate a bit  
4 of caution here. Those numbers that you see refer to  
5 the footnotes which occur below the diagram itself and  
6 are not meant to be a sequence of all.

7 Q. So, for example, if we had an area  
8 that had the capability of being managed as a  
9 wilderness oriented park, and that is what people  
10 wanted, then the things -- this smaller type that we  
11 see in here; i.e., no roads, no motorized use, et  
12 cetera, follows from that allocation if it were to be  
13 allocated in that fashion?

14 A. That's right. And if you wanted to  
15 follow this in sequence from -- in terms of the ROS  
16 kind of thinking, that is from more developed to less  
17 developed, then the appropriate place to start, I  
18 think, would be at the top with Provincial Forests  
19 where all types of industrial use, here meaning  
20 essentially mining as well as forestry itself and the  
21 associated forestry activities of regeneration and  
22 tending would be there, certainly motorized use, public  
23 roads and the rest of that are a portion of that.

24 As you move toward the right,  
25 clockwise, -- yeah, clockwise, you encounter facility



1 oriented parks still developed but with nature having  
2 a -- or natural appreciations, I guess one could say, a  
3 more important kind of role; still some public roads;  
4 still some motorized use perhaps, still perhaps even  
5 commercial recreation, and probably still lots of  
6 people.

7 As you move around through wilderness  
8 oriented parks and then into wilderness areas, you can  
9 see that the emphasis of what can be found in those  
10 changes away from things that are typical of developed  
11 areas, roads and so on and facilities, into areas that  
12 are essentially free from all of those.

13 The ROS application here acknowledges  
14 that there are people who want untouched areas,  
15 wilderness areas where they can appreciate nature,  
16 where they can depend on themselves to get into the  
17 area and out again, where they can perhaps experience  
18 solitude, but just as importantly, there are those  
19 people who might want to use a provincial forest for a  
20 walk on a sunny day with their children, and that  
21 clearly is possible as well, but perhaps not as  
22 possible nor as advisable as in wilderness areas, of  
23 course, to a provincial forest.

24 So one can see here the attempt to use  
25 the ROS tool, the ROS framework in a situation that is

1 somewhat similar to what we face here in Ontario, at  
2 least in terms of the activity of Crown land  
3 management, if not the actual environment itself.

4 Q. Earlier this morning you have  
5 expressed a preference for integrated resource  
6 management to be legislatively based as opposed to  
7 policy based, and I notice that this particular  
8 document is entitled -- or seems to be a policy  
9 document.

10 You are not endorsing the policy approach  
11 to integrated resource management?

12 A. No. I think that the B.C. public  
13 would be better served if in fact the ROS that's being  
14 discussed here was in fact embedded in legislation in  
15 some way. The policy basis is a step in the right  
16 direction, but in terms of implementation, I think it's  
17 a step that perhaps is not quite sufficient. But  
18 again, the tool is another matter, the fact that the  
19 ROS is turning up here is, I think, a significant  
20 finding.

21 MADAM CHAIR: Excuse me, Dr. Payne, maybe  
22 I'm just confused on these four areas that we are  
23 looking at. The last two seem to be mixed up a bit,  
24 wilderness areas are supposed to be the most remote?

25 THE WITNESS: That's right, and I

1 think --

2 MADAM CHAIR: But in fact they have  
3 restricted motorized use?

4 THE WITNESS: Restricted motorized use.

5 MADAM CHAIR: Yes. Whereas there is no  
6 motorized use in wilderness oriented parks and you can  
7 also have potential mining in wilderness areas. There  
8 doesn't seem to be a clear restriction?

9 THE WITNESS: Yes. I think that reflects  
10 the particular areas of the British Columbia situation  
11 rather than the model itself.

12 Certainly if one were to compare this  
13 with a similar diagram, perhaps, for the U.S. Forest  
14 Service, you would find that in wilderness areas  
15 designated under the Act, for example, in the U.S.  
16 there is no talk of roads, no talk of mining, no talk  
17 of any of that kind of human use of the environment.

18 MADAM CHAIR: Thank you.

19 MR. MARTEL: Is this being applied or is  
20 it just a paper?

21 THE WITNESS: To my knowledge it's being  
22 applied, it's being applied slowly because it's still  
23 new and, like any other kind of policy, the methodology  
24 has to sink in.

25 I remember talking to one of the people

1 that had to operationalize the ROS in the Forest  
2 Service in the U.S. and it takes time, a good deal of  
3 time to actually get this kind of thing into peoples'  
4 heads so that they can use it on the ground.

5 MR. MARTEL: I'm talking primarily about  
6 B.C.?

7 THE WITNESS: Oh, okay, yeah. It's  
8 happening. I have a colleague, for example, at  
9 Lakehead University who is advising the B.C. Forestry  
10 Ministry on putting this into practice, so it's  
11 beginning.

12 MR. LINDGREN: Q. How long has ROS been  
13 used by the U.S. Forest Service?

14 A. I would say since, on a large scale,  
15 since the beginning of the 1980s. But it's probably  
16 fair to say, just as a sort of qualification to that,  
17 that the ideas behind the ROS were finding their way  
18 into Forest Service planning long before that.

19 What the ROS did was formalize those  
20 ideas and put them into a package, into a framework.

21 Q. Before we move up from this document,  
22 Dr. Payne, I would like to refer you to page 21 which  
23 contains a glossary of certain terms.

24 The first one I would like to refer you  
25 to is integrated resource management and the first line



1 reads that:

2 "Integrated resource management is a  
3 decision-making process whereby all  
4 resources are identified, assessed and  
5 compared before land use or resource  
6 management decisions are made."

7 MADAM CHAIR: Which page are you on, I'm  
8 sorry?

9 MR. LINDGREN: I'm on page 21.

10 MS. BLASTORAH: I'm sorry, of which  
11 document?

12 MR. LINDGREN: The same document we were  
13 just in.

14 MS. BLASTORAH: The ROS?

15 MR. LINDGREN: No, the B.C. document.

16 MADAM CHAIR: And that's the integrated  
17 resource management definition in the glossary

18 MR. LINDGREN: That's correct, and I've  
19 just read the first line to Dr. Payne.

20 Q. And I'm wondering, Dr. Payne, is that  
21 an acceptable definition or does it go far enough?

22 A. I don't think it quite goes far  
23 enough. I think that it is certainly a step in the  
24 right direction, it embodies the idea that there's an  
25 assessment going on and a comparison going on before

1 decisions are made, which I think is an important  
2 component of it.

3 But it is somewhat restricted here in the  
4 sense that this is really still functional planning, I  
5 mean, the B.C. Ministry of Forest is a ministry of  
6 forests first and foremost and the application here is  
7 from a forest point of view, a forest management point  
8 of view and, perhaps more correctly, a timber  
9 management point of view.

10 The other sorts of resource issues, the  
11 other sorts of elements of the natural environment that  
12 ought to be considered here, I don't know that they are  
13 necessarily implicated by this definition and I would  
14 be, therefore, cautious in endorsing it, but I think  
15 that it's a step in the right direction.

16 Q. Partway through that definition, Dr.  
17 Payne, there's an indication that:

18 "The integrated resource manager is the  
19 honest broker who oversees the resource  
20 integration function by providing the  
21 processes which enable all resource  
22 values to be considered."

23 Can you explain what is meant by the  
24 concept of the honest broker, the integrated resource  
25 manager as an honest broker?

1 MS. BLASTORAH: Again, Mrs. Koven, just  
2 to clarify. I assume that Dr. Payne is giving his  
3 opinion as to what that means, his interpretation?

4 MR. LINDGREN: That's in fact what I  
5 asked for, Ms. Blastorah.

6 THE WITNESS: To me the honest broker is  
7 the facilitator, the person or persons who are able to  
8 bring different interests together to meet their  
9 particular mandate.

10 If this was the Ministry of Natural  
11 Resources here in Ontario rather than the B.C. Ministry  
12 of Forests, then obviously that mandate would be  
13 expressed in the Ministry's mission statement.

14 MADAM CHAIR: Excuse me, Dr. Payne. This  
15 idea of the honest broker seems to fall into line with  
16 how you've been discussing the treatment of integrated  
17 resource management, and we have a lot of evidence  
18 before the Board to the effect that foresters,  
19 professional foresters are people who are making  
20 decisions at the field, at the field level, are the key  
21 components of the timber management planning process.  
22 That is a simplification, but generally a lot of the  
23 evidence before us goes towards that.

24 Now, when we are looking at integrated  
25 resource management, do you still see foresters as

1 being the people who are the best judges of what the  
2 forest can produce, or are you saying that: No,  
3 foresters would be one group of experts but, in fact,  
4 social scientists and other people would have equally  
5 important things to say about forest management?

6 THE WITNESS: I think that it depends  
7 where you look in the Ministry as to where, as to how I  
8 want to answer that question. I think at the strategic  
9 level, certainly foresters ought to be involved with  
10 economists and other sorts of social scientists to help  
11 make those kinds of decisions.

12 At the district level I think that the  
13 foresters are well placed as professionals to make  
14 these kinds of decisions, provided that they are  
15 supported by good social science information as well as  
16 good ecological information by other professionals,  
17 perhaps from head office, perhaps from the regional  
18 offices.

19 I suppose in addition to that I should  
20 add too that my concern hasn't been so much with  
21 whether or not foresters have an appreciation of  
22 non-timber values in terms of managing the forest, it's  
23 whether or not the management system gives them the  
24 opportunity to build that kind of concern into a  
25 management plan.



1 MR. LINDGREN: I have a few short  
2 questions to ask Dr. Payne about ROS and then it would  
3 probably be an appropriate time for a break, but I  
4 would like to finish the ROS, if I could.

5 Q. While we are still on page 21 of the  
6 B.C. document, we see a definition of the ROS halfway  
7 through the right-hand column. Is that an acceptable  
8 definition or summary of what ROS is about, Dr. Payne?

9 A. Yes, I think that pretty well meets  
10 what I understand by the ROS and I think what the  
11 Forest Service meant as the ROS.

12 Q. Dr. Payne, can I ask you whether or  
13 not, in your opinion, should the MNR adopt and use an  
14 ROS approach as a tool for the integrated planning and  
15 management of the Crown forests of Ontario?

16 A. Yes, I think it's a good suggestion.  
17 I think that the ROS is the kind of framework that  
18 allows an agency to deal with the natural environment,  
19 it's the kind of framework that allows an agency to  
20 deal with the multiplicity of uses that an agency like  
21 the MNR is required to deal with, and I think it's the  
22 kind of framework as well that is capable of bringing  
- 23 in the sorts of values, activities that people want on  
24 the land base and, putting all of the resulting  
25 decision-making into a cost/benefit kind of framework,

1 so that ultimately the unit -- whether it's a district  
2 in Ontario or a national forest in the case of the  
3 United States - is capable of providing a best mix of  
4 opportunities from the natural environment consistent  
5 with protection of that natural environment.

6 Q. And would you, therefore, support a  
7 term and condition that required the MNR to develop and  
8 use ROS in Ontario?

9 A. Yes, I would.

10 Q. And at what level should it be  
11 implemented?

12 A. I think the ROS is best implemented  
13 as a framework, as a planning tool at the district  
14 level. I think the ROS lends itself quite well to  
15 identifying areas that are capable of supporting, in  
16 this case different forms of recreation, perhaps  
17 tourism and so on, and lends itself well to the kind of  
18 tradeoffs, the kind of allocation decisions that have  
19 to be made through cost/benefit analysis and certainly  
20 the district level is where these decisions must be  
21 made, close to where the people are, and in addition to  
22 that, this is the plan that directs many of the other  
23 kinds of specific plans, resource management plans in  
24 the Ministry at the moment.

25 Q. And my final question to you is this:

1 Can you summarize for the Board very briefly what are  
2 the advantages of ROS over the Ministry's current  
3 management planning approach?

4 A. The advantages I suppose are many,  
5 but the ROS, first and foremost, by integrating the  
6 concerns with the natural environment, with what people  
7 want from the natural environment is able to produce a  
8 plan which is responsive to what people want and what  
9 people say they want. That probably is one of it's  
10 most outstanding features.

11 Secondly, the ROS, because it's a  
12 regional or area planning methodology, requires that  
13 decisions are made concerning such important aspects in  
14 this hearing as access at the very early stage indeed.

15 The subsequent plans which are more  
16 site-specific in the areas which have already been  
17 identified, therefore, are operating or are being  
18 developed within a context, a decision context where  
19 important issues have already been addressed. That too  
20 is a critical factor.

21 Thirdly, the ROS has been developed and  
22 is being used by an agency which has a long history of  
23 multiple use or integrated resource management. The  
24 agency is very similar to the Ministry of Natural  
25 Resources in what it does, if not how it does it.

1                   Those three things I think make the ROS a  
2 most excellent kind of framework for the management of  
3 timber and other resource opportunities in Ontario.

4                   MR. LINDGREN: Madam Chair, this would be  
5 an appropriate time for the break, and I can advise  
6 that I still have probably about 20 or 30 minutes worth  
7 of questions.

8                   MADAM CHAIR: All right. We will take  
9 our afternoon break now, Mr. Lindgren.

10                  MR. LINDGREN: Thank you, Madam Chair.

11 ---Recess taken at 2:45 p.m.

12 ---On resuming at 3:05 p.m.

13                  MADAM CHAIR: Please be seated.

14                  MR. LINDGREN: I'm ready to proceed.

15                  MR. MARTEL: Who isn't.

16                  MR. LINDGREN: Well, the MNR appears to  
17 be absent. Perhaps I can advise the Board, I'm going  
18 to be referring to the next document at Volume 2 of the  
19 source book entitled: Long-Term Forestry Planning,  
20 it's an MNR document, it follows the B.C. document that  
21 we have been just been referring to. Again, I think it  
22 might be tabbed in your book as Long-Term Planning.

23                  Q. Do you have that document, Dr. Payne?

24                  A. Yes, I do, Mr. Lindgren.

25                  Q. Could I ask you to turn to page 11 of



1 this document.

2 A. Yes, I have that.

3 Q. And under the heading Program

4 Integration there is the following statement:

5 "There exists a pressing requirement to  
6 effect a much improved level of  
7 integrated management of the forest such  
8 that there is adequate cognizance of the  
9 variety of forest users and diverse types  
10 of benefits and costs associated with  
11 various management actions.

12 To date, various forest-related  
13 programs (timber, fishing, hunting,  
14 trapping, environmental protection, et  
15 cet.), have not adequately recognized nor  
16 responded to the complex and far-reaching  
17 inter-relationships of one program with  
18 another."

19 And stopping right there, Dr. Payne, do  
20 you agree with that assessment?

21 A. Yes, I do, entirely.

22 Q. And then continuing:

23 "Several factors make integrated  
24 management a critical aspect of the  
25 forest strategy for the 1980s. Paramount

1 among these is the increasing conflict of  
2 land use in the light of ever expanding  
3 demands of all types encountering an ever  
4 constricting available forest land base,  
5 the only solution of which lies in a much  
6 greater co-existence of users and  
7 integration of program planning and  
8 delivery.

9 In addition, the basic economic  
10 conditions of the 1980s have instilled a  
11 requirement that public natural resource  
12 agencies should manage for greater  
13 effectiveness, efficiency and economy."

14 Dr. Payne, are those comments still true  
15 of the direction that must be taken by the Ministry in  
16 the 1990s?

17 A. Yes, they are.

18 Q. And with respect to the last  
19 paragraph, Managing Lands --

20 MS. BLASTORAH: I'm sorry, Mr. Lindgren,  
21 I was a little late getting here and I'm not sure which  
22 document we are looking at.

23 MR. LINDGREN: We are looking at the MNR  
24 document entitled: Long-Term Forestry Planning in  
25 Ontario, it's in Volume 2 of the source book and it

1 follows the B.C. paper.

2 MS. BLASTORAH: And what page is that?

3 MR. LINDGREN: I started on page 11 and I  
4 am asking Dr. Payne a question about page 12.

5 MS. BLASTORAH: Thank you.

6 MR. LINDGREN: Q. There's an indication  
7 that:

8 "Public natural resource agencies should  
9 manage for greater effectiveness,  
10 efficiency and economy."

11 Dr. Payne, in light of your conversations  
12 and testimony yesterday about the emergence of an  
13 environmental ethic, is that all a public resource  
14 agency should be managing for?

15 A. No, clearly not. In addition to  
16 those four, or perhaps five if you wanted to throw  
17 equity as an overall management goal into the equation,  
18 clearly the Ministry of Natural Resources should also  
19 be managing for environmental quality.

20 Q. Now, on page 11 there's a reference  
21 to:

22 "Increasing conflict of land use...", and  
23 this raises the question posed by Madam Chair in the  
24 scoping session; that is, what comments do you have,  
25 Dr. Payne, with respect to the MNR's role as a resolver

1 of conflict among people who hold different values or  
2 valuations of the forest?

3 And perhaps you can refer back to the  
4 reference to the honest broker in the context of  
5 integrated resource management that we discussed a few  
6 moments ago?

7 A. I think that the Ministry ought to  
8 have a role as a resolver of conflicts, but I think  
9 there are several pre-conditions that have to be sorted  
10 out before that becomes possible.

11 One, I think the Ministry has to put its  
12 own house in order, so to speak, and ensure that it is  
13 capable of understanding and documenting the kind of  
14 benefits and costs that are associated with allocation  
15 decisions that it might or might not make. That  
16 clearly is something that needs to be done urgently if  
17 the Ministry is going to be able to put a case forward  
18 for itself as a corporate body in any kind of land use  
19 conflict situation.

20 I don't see that the Ministry should have  
21 taking a passive role here or reactive role, I think  
22 that it has a mandate - we know well what that mandate  
23 is - and it ought to act in the interests of that  
24 mandate. Certainly that's what the government expects  
25 of it, certainly that is what the citizens of the



1 province expect of it.

2 Having said that, however, I think there  
3 are several other pre-conditions that really need to be  
4 cleared before the Ministry can take on this kind of  
5 conflict resolution role.

6 One is that the Ministry has to be seen  
7 to be above it all, so to speak, and I think it's fair  
8 to say that the sort of evidence that you have heard  
9 from the lay witnesses for FFT have said something or  
10 have indicated something that is, I think, far more  
11 widely held; and, that is, is that when push comes to  
12 shove, the MNR seems to side very often with the timber  
13 industry in this these kind of decisions.

14 Whether that is a reality or not, that  
15 perception I think is a real barrier to people  
16 accepting that the Ministry can operate as what the  
17 B.C. document, referred to as an honest broker.

18 That's something that the Ministry will  
19 have to work hard to overcome, and I think that if the  
20 Ministry itself is able to take an active position and  
21 illustrate through documented -- through documented  
22 cost/benefit analyses what it's proposing to do, then  
23 it's position, I think, will be much more neutral,  
24 surprisingly, with respect to all of these other  
25 different kinds of parties.

1 I think too that the Ministry is going to  
2 have to find some way to wrestle with the problem that  
3 Mr. Martel raised this morning concerning the  
4 provincial interest versus the local interest. I made  
5 the suggestion at the time that perhaps by involving or  
6 having the Ministry of Natural Resources undertake  
7 representative samples across the Ontario population to  
8 get a better understanding of how the Ontario  
9 population was feeling. That perhaps some of these  
10 problems could be reconciled by doing that, and if that  
11 possibility was expanded by having a much more open  
12 decision-making process at the local level where timber  
13 management plans are being developed, selected, and  
14 then evaluated, I think that goes some way to doing  
15 that as well.

16 Those kind of pre-conditions I think  
17 are -- well, I hope that's what these hearings are  
18 about. And if the Ministry can put its house in order  
19 and we can give it perhaps some more direction, then I  
20 think its role as a conflict resolution agent can  
21 become more realistic than perhaps it is at the moment.

22 Q. I would like to move on to pages 60  
23 to 65 of your witness statement and there you deal with  
24 the role of guidelines and manuals in the context of  
25 integrated resource management and non-timber values.

1 I would like to start by asking you to  
2 summarize your concerns about the present district land  
3 use guidelines.

4 A. Well, I think part of those concerns  
5 are on the record. The fact that negotiations and  
6 eventual settlements and agreements with the timber  
7 industry were going on during the time that the land  
8 use guidelines were being prepared, in effect in  
9 advance of the land use guidelines being prepared,  
10 gives me pause right there.

11 In addition to that, there is a lot of  
12 concern that the information upon which the guidelines  
13 are based is of dubious quality. The recreation  
14 targets, for example, are based on that old study that  
15 I referred to this morning, the 1972-73 Ontario  
16 Recreation Survey which, in its day, was a good piece  
17 of work but, of course, in the time it was used, eight  
18 to 10 years later, much had changed in Ontario.

19 In addition to that, there is the  
20 suggestion, and I have had this repeated to me by MNR  
21 employees, that some of the targets, for example for  
22 wildlife viewing, were simply invented, they emerged  
23 out of the air as if by magic.

24 In addition to that, I think I have real  
25 problems with the guidelines themselves as to just what

1 they represent. I call your attention to the section  
2 of the Fahlgren Report, I think it's Appendix 14, where  
3 a Ministry lawyer and a lawyer from the Fahlgren  
4 Commission are discussing just what these guidelines  
5 are to be and the gist of this discussion is:

6 The Fahlgren Commission lawyer wants to  
7 know if these are going to be plans, and as plans of  
8 course they would be subject to the Environmental  
9 Assessment Act.

10 The Ministry's lawyer is arguing that:  
11 No, they are guidelines, and when asked what guidelines  
12 mean and how perhaps they are different from land use  
13 plans, the lawyer for the Ministry says something to  
14 the effect: Well, guidelines are only one view and  
15 that plans, I suppose, are much more like ministerial  
16 policy.

17 And frankly when I look at the guidelines  
18 themselves and see that they are signed by the relevant  
19 regional director as opposed to the minister himself, I  
20 am inclined to think that perhaps these guidelines are,  
21 at best, a bit kind of ambivalent in terms of whether  
22 they will or will not ever be used and, if so, how.

23 MS. BLASTORAH: I'm sorry, Dr. Payne, I  
24 didn't catch the reference that you were making. You  
25 were referring to comments by two lawyers. What was



1 the document you were referring to?

2 THE WITNESS: Fahlgren Commission, final  
3 report, Appendix 14.

4 MS. BLASTORAH: Thank you very much.

5 MR. LINDGREN: And that's been filed as  
6 Exhibit 33 in this proceeding, Madam Chair.

7 MR. COSMAN: I'm sorry, Madam Chair, I'm  
8 not aware of this conversation between two lawyers back  
9 during the days of the Fahlgren Commission Enquiry, but  
10 did the witness just say that the guidelines are not  
11 being used?

12 THE WITNESS: No, I didn't quite say  
13 that.

14 MR. COSMAN: My clients would love to  
15 hear that, if that were the case.

16 THE WITNESS: I am not sure if the  
17 guidelines are meant to be used. I understand that  
18 they are being used, certainly they are referred to a  
19 great deal in the documents that the Ministry has  
20 presented in relation to the timber management planning  
21 process.

22 My concern is that, as far as I can see,  
23 the guidelines have a kind of a morphous standing  
24 within the Ministry.

25 MR. LINDGREN: Q. In light of your

1 concerns about, I guess, the contents and application  
2 of the guidelines, Dr. Payne, would you recommend that  
3 the MNR undertake a review and, where necessary,  
4 revision of the existing district land use guidelines?

5 A. Yes, I certainly would, although I  
6 think a review would be a waste of time and effort. I  
7 think revision is what's required.

8 The planning process that produced these  
9 guidelines is entirely functional; that is, along the  
10 program lines oriented toward these production targets,  
11 and clearly the Ministry's responsibility in managing  
12 the natural environment go far beyond simply producing  
13 things from them, and as the DLUGS currently stand and  
14 as they would stand if they were again revised or  
15 reviewed through the existing planning methodology, the  
16 protective side of the Ministry mandate would again get  
17 shorttripped.

18 Q. Now, on page 62 of your evidence, Dr.  
19 Payne, you refer to the Timber Management Guidelines  
20 for the Protection of Tourism Values. Can you  
21 summarize your concerns about those guidelines.  
22 Perhaps you can refer back to the ROS model that we  
23 just discussed a few moments ago.

24 A. Yes, that is a good point. Because  
25 the ROS approach is a good way or a good sort of base

1 upon which to compare these guidelines or to assess  
2 these guidelines, the prescriptions that are in the  
3 Timber Management Guidelines for the Protection of  
4 Tourism Values, or even the suggestions which are found  
5 there, are essentially related to site planning as  
6 opposed to area planning. The attempts to deal with  
7 aesthetic issues then are essentially in relation to  
8 very specific places.

9 The concerns that the ROS addresses, by  
10 looking at the placement of roads and the kind of  
11 effects that's going have on the areas are not here at  
12 all in any way, shape or form.

13 In addition to that, these guidelines for  
14 tourism values, again, reflect the peculiar Ministry  
15 position that these values are somehow out there, when  
16 in fact it's people that have these values and there is  
17 no, no attempt in these guidelines to deal with the  
18 reality of that particular situation.

19 It's assumed that tourists have values  
20 and that tourists are a kind of uni-dimensional  
21 individual or uni-dimensional group, and I think that  
22 the information I shared with you this afternoon  
23 concerning the Canadian Wildlife Service information,  
24 as well as bulk, great pile of related recreational and  
25 tourism research, indicates that in fact tourists are

1 very, very different, you couldn't subdivide them; you  
2 can segment them in many, many different ways, and  
3 clearly some tourists will be satisfied by the  
4 discussions that we see here in the tourism guidelines,  
5 but others won't.

6 And if the Ministry is going to respond,  
7 as it properly should, to all of us out there in the  
8 real world who are concerned about tourism and  
9 concerned about timber impacts upon tourism, then the  
10 Ministry is going to need to better understand that  
11 there are different groups of tourists, who have  
12 different motivations, who seek different kinds of  
13 experiences, and who bring to the Ontario economy and  
14 to the tourism industry different forms of benefits.

15 There is no sense of that in these  
16 guidelines whatsoever. One can perhaps get a more  
17 specific understanding or feeling for that when one  
18 consults the guidelines concerning aesthetic or scenic  
19 resources. Again, there is the viewer and the viewer  
20 is presumed to be the average person on the street.  
21 Well, there is no average person on the street, there  
22 are many, many different kinds of people on the street  
23 and if the Ministry is going to respond to those many  
24 different kinds of people as it should, then something  
25 such as this is effectively useless.



1 Q. And do the current guidelines assist  
2 in the identification of areas possessing tourism value  
3 in the manner that the ROS model does?

4 A. They do not.

5 Q. Is that important to do?

6 A. Certainly is. It's an important  
7 level of decision-making, it's an important level of  
8 planning that requires being there.

9 This two-level approach that the ROS puts  
10 into operation solves some issues early and identifies  
11 some issues early, and then those issues and so on can  
12 be established or dealt with later on.

13 MR. MARTEL: The tourist guidelines  
14 though, I have to go back to that for a moment, they  
15 really -- were they established for the person out  
16 there, or were they not established in conjunction with  
17 the tourist industry to satisfy the tourist industry,  
18 per se, or attempt to satisfy the tourist industry  
19 without any, or very little consideration, for all the  
20 other people that might utilize the forests as we know  
21 them?

22 THE WITNESS: Well, if you look in the  
23 document itself - where is this? I think it's either  
24 at the back or at the front, it must be the front - as  
25 to who contributed to the eventual guidelines,

1 beginning on page 4 -- I believe 4, you can see here  
2 that there were a number of individuals at a number of  
3 workshops, one in North Bay, one in Timmins, one in the  
4 Sault, one in Dryden and so on, and that there was a  
5 steering committee and a consultant who was established  
6 to assist the steering committee.

7 And I think, Mr. Martel, you're quite  
8 correct, the list here seems to include forest industry  
9 representatives, resort operators, and perhaps one or  
10 two other people who don't have any specific  
11 affiliation that I can see.

12 So, yes, in the way you put it, clearly  
13 these groups of individuals and presumably the steering  
14 committee itself was depending upon an understanding of  
15 who tourists are to come from somewhere else, perhaps  
16 from the Ministry, perhaps from the Northern Ontario  
17 Tourist Outfitters Association, or perhaps from the  
18 consultant.

19 In view of the final product I don't  
20 think that that information was available, whether it  
21 came, or it certainly didn't make its way into this.  
22 But you are quite right if you want to say that  
23 canoeists, for example, back country canoeists ought to  
24 be considered tourists, they fit the definition usually  
25 that the Ontario Government uses, but they don't seem

1 to be directly represented in here as stakeholders.

2 Now, I know they are in other documents, but here they  
3 are not.

4 It is a very narrow view of what  
5 constitutes tourists and a view that perhaps needs to  
6 be widened considerably if we are to appreciate the  
7 kind of impact that timber management activities are  
8 going to have and do have on tourism.

9 MR. LINDGREN: Q. Dr. Payne, the use of  
10 the Timber Management Guidelines for the Protection of  
11 Tourism Values gives rise to another discussion that  
12 we've had often in this hearing, that is, constraints  
13 management versus integrated management, and you deal  
14 with that issue on page 66 of your witness statement.

15 And are you familiar with Dr.  
16 Baskerville's evidence and opinions on this subject?

17 A. Yes, I am.

18 Q. And are you in agreement with Dr.  
19 Baskerville's opinions about the limits of constraints  
20 management and about the need for the integration of  
21 timber and non-timber values?

22 A. Yes, I certainly agree with him there  
23 and I also agree with him when he says that really the  
24 constraints approach will really not allow integrated  
25 resource management to occur.

1 Q. And another issue discussed by Dr.  
2 Baskerville is the issue of optimization, and again you  
3 deal with that on page 70 of your witness statement.

4 In your opinion, should the Ministry be  
5 optimizing the mix of social and economic benefits from  
6 the Crown forests?

7 A. Yes, I certainly think it should be.  
8 I would add though that that kind of optimization must  
9 be of the broad kind that we have discussed here  
10 several times, to include not only the basic economic  
11 aspects that are associated with the use of the Crown  
12 forests, but also to try to at least implicate or  
13 involve the social aspects, considerations of equity  
14 for example and, of course, considerations for  
15 environmental quality.

16 Q. In your opinion, are the tools  
17 necessary for that kind of broader optimization  
18 currently available to the Ministry?

19 A. Yes, I think they are.

20 Q. And to your knowledge are there any  
21 reasons why the Ministry could not go in this direction  
22 of optimization?

23 A. If the Ministry were able to put in  
24 place the right sort of personnel, collect the right  
25 sort of data, then I think that the tools are



1 definitely available so that the Ministry could begin  
2 to function in this way.

3 Q. I would like to refer you finally to  
4 page 79 of your evidence. This is Part IV of the  
5 witness statement in which you set out your  
6 conclusions.

7 I am wondering if you can very briefly  
8 summarize your conclusions for the Board with respect  
9 to the identification, protection and management of  
10 non-timber values, that is, within the areas of the  
11 undertaking?

12 A. I think I can summarize that quite  
13 quickly. The existing system does not do a  
14 particularly good job of dealing with protecting,  
15 managing non-timber values, even as the Ministry of  
16 Natural Resources has defined it, it certainly doesn't  
17 do a particularly good job of managing or protecting  
18 things, natural things, parts of the natural  
19 environment that are valued by people.

20 The process as we see it here is  
21 essentially a functional planning process, it's a  
22 process in which, where they come in at all, non-timber  
23 values and non-timber valued things in the natural  
24 world come in only as constraints and, unfortunately,  
25 only at the site planning level rather than at a

1 regional or area planning level. I think that is also  
2 a significant.

3 The process as we see it here accepts  
4 program values instead of people values, and I think  
5 that clearly needs to be changed if the sort of work  
6 that the Ministry of Natural Resources does is going to  
7 meet its stated mission.

8 I think too that the Ministry has access  
9 to some good social science information, perhaps not  
10 all that it needs, it perhaps could benefit from two  
11 things; one, more social scientists strategically  
12 placed who could use that information or more  
13 importantly make that information usable to other  
14 people in the Ministry; and, two, to ensure that the  
15 sort of cost/benefit analysis that we have been talking  
16 about here is possible within the Ministry. It  
17 certainly is desirable.

18 Finally, I think it's necessary that the  
19 Ministry adopt a sophisticated, as we've talked about  
20 it here, cost/benefit analysis framework on which to  
21 base its allocation decisions so that it is sure that  
22 we, the members of the public who are concerned about  
23 these things, are sure that the Ministry is attempting  
24 and doing all that it can to meet its mission  
25 statement.

1 Q. Now, if the Ministry is committed to  
2 integrated resource management and its mission  
3 statement, and if the Ministry is charged with  
4 producing the optimal mix of social and economic  
5 benefits from the forests, is timber management enough?

6 A. No, I think timber management is not  
7 enough, I think it's necessary to talk in the area of  
8 the undertaking about forest management.

9 MR. LINDGREN: Thank you, Dr. Payne.

10 And, Madam Chair, those are my questions  
11 for Dr. Payne.

12 MADAM CHAIR: Thank you, Mr. Lindgren.

13 We will conclude Dr. Payne's evidence  
14 now.

15 Thank you, Dr. Payne, we will see you at  
16 nine o'clock tomorrow morning.

17 THE WITNESS: Okay.

18 --- (Witness withdraws)

19 MADAM CHAIR: And we will sit from nine  
20 until twelve tomorrow. Thank you very much.

21 We will start the scoping session now.  
22 Thank you to the parties who came early for it.

23 We will get started. I have a note here  
24 from Mr. Hanna, he sends his apologies that he can't be  
25 with us this afternoon. Mr. Hanna obviously has things

1 more important to do than show up for cross-examination  
2 or attend scoping sessions, and perhaps he will let us  
3 in on his important business tomorrow when he shows up  
4 to cross-examine.

5 I think everybody else is here who  
6 intends to cross-examine.

7 The Board has some extensive comments to  
8 make actually with respect to Mr. Benson's witness  
9 statements, and I see that Mr. Benson is here.

10 Good afternoon.

11 MR. BENSON: Good afternoon.

12 MADAM CHAIR: We have a series of  
13 questions that we are hoping you could give some  
14 thought to with respect to giving us your evidence, and  
15 if there is -- at any point that it's not understood by  
16 Ms. Swenarchuk or Mr. Benson wants to put up his hand  
17 and ask what we mean, then go ahead.

18 Our first question has to do with Mr.  
19 Benson's discussion of the aims and objectives of the  
20 U.S. Forest Service. The Board notes Mr. Benson's  
21 comments on the U.S. Forest Service's experience with  
22 FORPLAN and the costs involved in that planning  
23 process. We want to know very specifically, is Mr.  
24 Benson recommending that the Ministry of Natural  
25 Resources adopt the aims and objectives of the U.S.



1 Forest Service.

2 And a related point appears on page 3 of  
3 Volume I of Mr. Benson's witness statement, and on that  
4 page Mr. Benson states:

5 "An aim that includes a statement to  
6 provide for other uses of the forest...",  
7 and here he's talking about,

8 "MNR's aim can only be interpreted as a  
9 motherhood statement."

10 If Mr. Benson has some specific  
11 recommendations on the wording for an aim or objective  
12 of the Ministry of Natural Resources, the Board would  
13 certainly be interested in hearing that.

14 Mr. Benson discusses various definitions  
15 of sustained yield throughout his witness statement and  
16 we were wondering - it might be in this material and we  
17 didn't see it - but we were wondering if Mr. Benson  
18 could articulate for the Board the definition that he  
19 wants to see adopted by MNR.

20 He discusses, as I said, a number of  
21 definitions and we want to know exactly what his  
22 definition would be and succinctly in words. We  
23 understand your equations on long-term sustainable  
24 yield and your references to the Crown Timber Act and  
25 so forth, but we wondered if you had wording that could

1       be succinctly put with respect to what sustained yield  
2       should be.

3                       In the view of your party, on pages 53  
4       and 55 of Volume I, Mr. Benson discusses moose  
5       production in Ontario, and he discusses the rotation  
6       ages and then the maximum rotation age in a fully  
7       regulated forestry for moose would be about 35 years,  
8       and we just want to make sure that our understanding is  
9       the correct one and what you are saying.

10                      And we understand how a moose rotation of  
11       35 years would conflict with visual aesthetic rotation  
12       of 135 or 50 years, and a timber rotation of 70 years,  
13       but we want to be clear that what you are saying is  
14       that, in fact, this rotation is site-specific and; in  
15       other words, you would have a forest area that would  
16       require cutting every 35 years for moose production and  
17       that you see -- you have made it perfectly clear that  
18       you don't want to see non-timber resources as having  
19       the leftovers from what timber doesn't want.

20                      But is there room in your plan for moose  
21       to be moved around geographically following cut-over  
22       areas for timber, or are you saying: No, that is not  
23       acceptable, moose would have to be in a site-specific  
24       area where they would have some separate rotation that  
25       couldn't be accommodated by timber.

1                   We would also ask Mr. Benson --

2                   MS. SWENARCHUK: Madam Chair, could you  
3 just slow down.

4                   MADAM CHAIR: I'm sorry.

5                   MS. SWENARCHUK: Thank you.

6                   MADAM CHAIR: We are also asking Mr.  
7 Benson if he is proposing or does he favour a specific  
8 type of volume calculation to replace or complement  
9 OWOSFOP. For example, He mentions Gaerhardt's Volume  
10 Method for Allowable Cut Calculation that was used on  
11 the Minden Crown Management Unit, and we are simply  
12 asking Mr. Benson, is there one that you think should  
13 be regularly used with OWOSFOP or to replace OWOSFOP?

14                   The Board has spent some time going  
15 through Volume II of your witness statement and we have  
16 looked at the way you approach your assessment of the  
17 19 management units with respect to assessing the  
18 management plans and doing the field inspections on  
19 some of the operations, and our question is: Have you  
20 done an audit? Do you feel that what you have done is  
21 an audit of those management units?

22                   There is evidence before the Board on  
23 audits of FMAs and it was clear to us that there are  
24 some differences between what you've done and what was  
25 done on the FMA audits.

1                   Certainly in the latter, the units  
2       foresters were interviewed and there was an examination  
3       of financial information, and you haven't done that,  
4       but are you able to tell the Board whether you see your  
5       methodology in this assessment as being something you  
6       would see applied to an auditing process and whether  
7       there were things that you did in your audit, if you  
8       can call it that - you may tell us it isn't - but if we  
9       can call it an audit, how do you feel you did things  
10      better than they had been done in previous audits, or  
11      where do you see very obvious differences in  
12      objectives?

13                   Our overall conclusion when we read your  
14      audit of these 19 management units was that you drew  
15      different conclusions than were generally drawn on  
16      those areas that had been audited for the FMA exercise  
17      in the five-year review. You seem to come up with less  
18      positive conclusions.

19                   And so I guess we are asking if there is a  
20      way that you could refresh our memory on some of the  
21      audits that were done on some of the specific areas  
22      that you looked at? I don't know if that calls for  
23      more work on your part or whether you are very familiar  
24      with those previous assessments.

25                   MS. SWENARCHUK: Would it satisfy the



1 Board if we did that on rather a sampling basis?

2 MADAM CHAIR: Oh, yes, yes.

3 On page 162 of the second volume of the  
4 witness statement, Mr. Benson makes a reference to poor  
5 road construction and the Board assumes that while we  
6 don't know, we are asking, when you look at road  
7 construction, are you looking at it from the  
8 perspective of permanence and safe use, or are you only  
9 looking at it with respect to potential environmental  
10 damage? Are you suggesting that roads be built better  
11 so they last longer, or are you saying that roads need  
12 to be built better to avoid environmental impacts?

13 There are several references in Mr.  
14 Benson's witness statement to the fact that he had  
15 trouble obtaining information from Ministry of Natural  
16 Resources, and the Board wants to know, is it because  
17 the information doesn't exist, or it doesn't exist in a  
18 format that you requested, or were there other reasons  
19 that you had trouble obtaining this information?

20 On page 69 of the first volume of the  
21 witness statement, Mr. Benson makes the following  
22 statement:

23 "While it is perhaps fortunate for future  
24 timber supply that less than the inflated  
25 allowable cuts as calculated using

1 OWOSFOP are being harvested, it does  
2 raise a question of: Why is it necessary  
3 to increase the production by using  
4 expensive silvicultural techniques in an  
5 attempt to increase the productivity of  
6 the forest?"

7 The evidence before the Board from the  
8 Industry is that they have a concern about future wood  
9 supply, and part of their concern is associated with  
10 the future of the old forest, and the Board wants to  
11 know whether you have confidence that there is  
12 sufficient future supply, regardless of whether  
13 expensive silvicultural techniques are used or not?

14 In other words, can we meet future timber  
15 demand without investing in intensive silviculture and  
16 are you confident that we can meet future demand  
17 indefinitely by solely depending on natural  
18 regeneration?

19 And the Board has one final question for  
20 Mr. Benson and it's raised in some of the other parties  
21 material as well and, that is, the reference on page  
22 106 to the old stocking standards of 70 per cent. And  
23 is Mr. Benson prepared to make a comment on whether he  
24 thinks the current stocking standards of 40 per cent is  
25 appropriate or not compared to the previous more

1       stringent stocking standards?

2                   MS. SWENARCHUK: Thank you Madam Chair,  
3       Mr. Martel.

4                   I had a number of small questions arising  
5       from the other parties' statements of issues. I think  
6       I can deal with them individually, and I have already  
7       spoken to Mr. Cassidy.

8                   It's unfortunate that Mr. Hanna isn't  
9       here because it's really particularly with reference to  
10      his statement of issues that one of our comments is to  
11      be made and, that is, that Mr. Benson, as everyone will  
12      be aware having read his witness statement, has covered  
13      an enormous range of issues in both Chapter 1 and then  
14      an enormous area of land in the second volume. Some of  
15      the issues raised in Volume I are issues which are  
16      going to be developed further by subsequent panels.

17                  Mr. Benson has, for example, dealt with  
18      the economics of silviculture to some extent that will  
19      be dealt with in more depth in Panel 7. He's also  
20      dealt with the planning process to some extent and we  
21      have no objection to his, of course, being questioned  
22      about what he has written, but with respect to  
23      particularly Mr. Hanna's statements of issues, I would  
24      want to suggest to him that some of the issues  
25      specified there might be more profitably pursued in

1 greater depth with subsequent panels. In addition to  
2 Panel 7 and 10, which I mentioned, this also would  
3 apply to the biodiversity discussion which will be  
4 really the basis of evidence given by Panel 9  
5 witnesses.

6 I guess I can repeat that to him, but it  
7 is a concern that we have in looking at this and we  
8 recognize that there's a line to be drawn here. Mr.  
9 Benson has written about those subjects but, greater  
10 depth in some of them will be coming in subsequent  
11 panels.

12 One issue that I did want to bring to  
13 your attention is in relation to Mr. Benson's  
14 availability. Although of course he is available, he  
15 is a professor in university and he is obliged to make  
16 up on Friday for all the classes he misses during the  
17 week that he's here, and that has a number of  
18 implications. The first is that we would be most  
19 appreciative if, and we'll certainly do our utmost, to  
20 see that the hearing proceeds with as little absolute  
21 downtime as possible because it's quite a burden on Mr.  
22 Benson to essentially have to perform these two  
23 functions at once.

24 And, secondly, I would request that other  
25 parties who wish Mr. Benson to review materials be kind



1 enough to inform us as quickly as possible what those  
2 materials are so that he's not in a position of having  
3 to do that as well over weekends with he's back in  
4 Thunder Bay making up his entire teaching load.

5 And I think those are my comments, Madam  
6 Chair.

7 MADAM CHAIR: Thank you, Ms. Swenarchuk.  
8 Well, I hope the parties will cooperate, and the Board  
9 certainly will, in we try to go out of our way to  
10 accommodate our witnesses, appreciating the effort that  
11 they've made and the time they have to put in at the  
12 hearing.

13 Do any of the parties have anything to  
14 request of Ms. Swenarchuk or any clarifications the  
15 parties wish to make with respect to this witness  
16 statement?

17 MR. FREIDIN: Just out of interest, Madam  
18 Chair, how many of the 507 or 700 slides do you think  
19 we will be looking at, Ms. Swenarchuk?

20 MS. SWENARCHUK: Mr. Benson has proposed  
21 approximately 200. We are working on that list, I  
22 can't give you a total -- a final figure at this point,  
23 but I hope it will be something under 200.

24 MR. FREIDIN: Thank you.

25 MS. SWENARCHUK: Which brings me to my

1 last point and, that is, the question of the time  
2 required in chief for his evidence.

3 I made a sincere effort to finish with  
4 Mr. Marek in three days, I was not successful, that was  
5 four and a half. As you have seen in viewing the  
6 witness statement there is a tremendous amount of  
7 information summarized in it and I don't want to be  
8 unrealistic.

9 I might also say that the witness  
10 statement represents a very, very substantial effort on  
11 the part of Mr. Benson and Forests for Tomorrow, and I  
12 hope that we could finish in about three days.

13 I request your leave to do that, and I  
14 want to be realistic and suggest to you that it may,  
15 given the Board's interest, take somewhat more than  
16 that, but we certainly will be attempting to organize  
17 it to proceed as quickly as possible through the  
18 matters.

19 MADAM CHAIR: Thank you.

20 Are there any days that we know now that  
21 Mr. Benson will be unavailable?

22 MS. SWENARCHUK: We could give you that  
23 information tomorrow, if you wish to have it.

24 MADAM CHAIR: Thank you very much. That  
25 will help a bit with the scheduling.

1 I am almost afraid to ask the parties,  
2 how long are you going to be in cross-examination, Ms.  
3 Seaborn?

4 MS.-SEABORN: Half a day to a day, Madam  
5 Chair.

6 MADAM CHAIR: All right, thank you.  
7 Mr. Cassidy?

8 MR. CASSIDY: One to two days.

9 MADAM CHAIR: Mr. Hanna is a question  
10 mark. Mr. Freidin?

11 MR. FREIDIN: Two to three days, go for  
12 three, I'm sure.

13 MADAM CHAIR: We have how many hearing  
14 days before the Christmas break? If we finish Dr.  
15 Payne next Thursday -- no. Is that our schedule, Mr.  
16 Lindgren?

17 MR. LINDGREN: I think that we will,  
18 seeing as we sit Tuesday, Wednesday and Thursday of  
19 next week, I think that we will definitely finish Dr.  
20 Payne on Thursday.

21 MR. MARTEL: You've got other two other  
22 witnesses for Panel 2.

23 MR. LINDGREN: One of the lay witnesses  
24 is coming on December 12th with the possibility that he  
25 would be sitting on the 13th, and the other lay witness

1 is coming at the recommencement of the hearing in  
2 January, that's January 7th.

3 MS. SWENARCHUK: So we then have, by our  
4 calculation, two days for Mr. Benson, Monday and  
5 Tuesday of the last week of sitting, and on behalf of  
6 Mr. Lindgren and myself, I guess I'm requesting that we  
7 not be required to have Mr. Benson fly down to be  
8 available to start next Thursday afternoon on the  
9 possibility that time is available then, because it may  
10 not be and, in that case, there's a question of  
11 resources involved.

12 MADAM CHAIR: Are there any objections  
13 from the parties if we - no objections. Next Thursday,  
14 if we finish early, we won't require Mr. Benson to come  
15 down from Thunder Bay on the off chance that that will  
16 happen.

17 MR. FREIDIN: I don't know what the  
18 schedule was before. If 4 looks like it's going to  
19 finish on Wednesday, would it be possible to sit a full  
20 day on Thursday?

21 MR. LINDGREN: Given the estimates of  
22 cross-examination length that we have to date, I don't  
23 think we will finish.

24 MR. MARTEL: I thought it was only three  
25 days that you contemplated for your panel, the total



1 time.

2 MR. LINDGREN: I said a day in-chief and  
3 that is what we stuck to. Perhaps this might be an  
4 opportune time to ask the parties again for their  
5 estimate of cross-examination length on Panel 4.

6 MS. BLASTORAH: I just rose for that  
7 reason, Mrs. Koven. I had originally estimated one to  
8 two days for cross-examination of Panel 4. It was  
9 difficult to give any kind of a figure without having  
10 heard the direct evidence and I still haven't heard the  
11 cross of the other parties, but I would expect that  
12 will be closer to one day and there's a possibility,  
13 depending on the other cross-examination, it could be  
14 less.

15 So I just raise the possibility we may  
16 finish on Wednesday, perhaps even midway Wednesday

17 MADAM CHAIR: Mr. Cosman?

18 MR. COSMAN: Yes. I would still say we  
19 would be around a half day, and if Mr. Hanna finishes  
20 tomorrow, that means by lunch break, hopefully on --  
21 what time do we start on Monday -- on Tuesday?

22 MR. MARTEL: Tuesday at nine.

23 MR. COSMAN: I will definitely be  
24 finished by lunch which means with MOE and MNR, I think  
25 there's a good chance that we might finish by the end

1 of the day Wednesday.

2 MADAM CHAIR: Ms. Seaborn?

3 MS. SEABORN: My original estimate, Madam  
4 Chair, was one to two hours, and that's very realistic.  
5 I may even be less than that.

6 MADAM CHAIR: So we could be finished  
7 Wednesday.

8 MS. SWENARCHUK: All right. Well, we  
9 will see how it goes and in fact that's the case, we  
10 are certainly prepared to start.

11 MADAM CHAIR: All right, thank you.  
12 So if Mr. Benson is here, what's the date  
13 next Thursday, that's the 4th?

14 MR. MARTEL: The 6th.

15 MS. SWENARCHUK: The date of that is the  
16 6th.

17 MR. MARTEL: Yes.

18 MADAM CHAIR: Yes.

19 MS. SWENARCHUK: Yes. I was not aware of  
20 this, but Mr. Benson in fact is not available next  
21 Thursday. As the Chairman of the Senate Budget  
22 Committee of Lakehead he's obliged to be present for a  
23 meeting, also has an examine to set.

24 MADAM CHAIR: All right. All right. Did  
25 you want to put in one of your lay witnesses next

1 Thursday?

2 MR. LINDGREN: Nobody's available prior  
3 to that time.

4 MADAM CHAIR: Not possible. So you have  
5 a lay witness, a Mr. -- who is coming --

6 MR. LINDGREN: Dr. Ross Henderson is  
7 appearing on December 12th and we reserved some time  
8 on the 13th in case that's necessary. I expect that we  
9 might perhaps go into a second day with his evidence.

10 MADAM CHAIR: So we're looking at this  
11 point for Professor Benson's evidence to be the 10th  
12 and the 11th, that's it?

13 MR. MARTEL: Which creates a problem for  
14 us if Dr. Henderson were to finish very early on the  
15 13th.

16 MADAM CHAIR: Merry Christmas, Elie, you  
17 get an early Christmas.

18 MR. MARTEL: It's Merry Christmas early,  
19 is it? Because you are not going to want to keep Dr.  
20 Benson over; are you?

21 MS. SWENARCHUK: Well, as he now chooses,  
22 he's prepared to stay over if you wish.

23 MR. LINDGREN: It's so hard to anticipate  
24 in advance. While we're in the Board's hands, we're  
25 prepared to go ahead.

1 MADAM CHAIR: Well, we won't expect to  
2 see Mr. Benson on the 6th, which means we won't be  
3 sitting on the 6th, although Panel 4 might spill over  
4 into that, so we don't know. We'll schedule that now  
5 to finish Panel 4, if we have to.

6 MR. LINDGREN: Thank you.

7 MADAM CHAIR: And we will expect to begin  
8 Panel 5 on Monday, December the 10th, sit the Tuesday  
9 and Wednesday the 10th and the 11th, you are bringing  
10 Dr. Henderson in on the 12th or the 13th?

11 MR. LINDGREN: That's correct.

12 MADAM CHAIR: The 12th?

13 MR. LINDGREN: The 12th.

14 MS. SWENARCHUK: Is the Wednesday.

15 MADAM CHAIR: Is the Wednesday. And the  
16 13th you have left open in case Dr. Henderson isn't  
17 finished.

18 MR. LINDGREN: That is correct. That is  
19 the witness who is coming from Winnipeg.

20 MADAM CHAIR: Right, okay.

21 MR. LINDGREN: And we don't want to call  
22 him back, if we can avoid it.

23 MADAM CHAIR: No, we will have to finish.  
24 All right.

25 MS. BLASTORAH: I just wondered if I



1       could get two points of clarification. I don't frankly  
2       recall Mr. Lindgren's estimate as to how long he would  
3       be in direct with Dr. Henderson.

4               MR. LINDGREN: Based on the experience  
5       with the other lay witnesses, probably half a day I  
6       think is reasonable.

7               MS. BLASTORAH: And one other just  
8       concern, I didn't personally speak, but I understand  
9       from Mr. Buss that we may have a concern about the  
10      slides of Mr. Oliver. We haven't got them yet, and I  
11      understand indirectly from Mr. Lindgren that they were  
12      sent by Purolator I think today and apparently  
13      Purolator is now on strike.

14              MR. LINDGREN: I will sort that one out  
15      myself, Madam Chair, when I get back to the office.

16              MS. BLASTORAH: The only reason I raise  
17      it is because, obviously, Mr. Lindgren has suggested  
18      that that evidence be called on January 7th and the  
19      Board asked to be advised of any possible problems in  
20      scheduling witnesses, and if there is some kind of a  
21      major delay with obtaining the slides, it would  
22      obviously be a problem for us in terms of posing  
23      interrogatories, which has not yet been done, scoping  
24      issues for that witness.

25              I believe Mr. Lindgren suggested no

1       scoping, but in any event, we have not yet done  
2       interrogatories on that witness evidence and,  
3       obviously, we will have to have time to review the  
4       slides, prepare interrogatories and allow Mr. Oliver  
5       adequate time to answer them.

6               MADAM CHAIR: And remind me again, when  
7       is Mr. Oliver coming?

8               MR. LINDGREN: January 7th. We've got  
9       him scheduled for the first day back. If there does  
10      appear to be a problem with the distribution and  
11      production of the slides. We will just have to bump  
12      him back and we're ready to proceed with Mr. Crandell  
13      Benson.

14              MADAM CHAIR: No parties object to Mr.  
15      Oliver's evidence being pushed into the future if --  
16      well, given the Christmas schedule and so forth, I  
17      think you might well do that in any event.

18              Are you really going to have time to go  
19      through the interrogatory process--

20              MR. LINDGREN: Oh, I think so.

21              MADAM CHAIR: --over the Christmas  
22      holidays?

23              MR. LINDGREN: I think so, depending on  
24      the nature and extent of the interrogatories. I mean,  
25      let's keep in mind here it's a lay witness and it's a

1 visual presentation, I'm not sure we need a lot of  
2 interrogatories.

3 MADAM CHAIR: Well, we will leave it to  
4 you to produce --

5 MADAM CHAIR: We will live it to you to  
6 produce a witness on January the 7th, whether it's  
7 Professor Benson or Mr. Oliver, and you will have to  
8 sort that out with the parties.

9 MR. CASSIDY: Can I raise something  
10 regarding next year as well?

11 MADAM CHAIR: Sure, Mr. Cassidy.

12 MR. CASSIDY: I had a brief conversation  
13 with Mr. Freidin and Ms. Swenarchuk because I had heard  
14 a rumour that they were going to fix a date of January  
15 28th obtained for Mr. Mazer, and I think they confirmed  
16 that that's the case.

17 Is that the Board's understanding as  
18 well? The reason I mention this, is that I have not  
19 seen anything in writing indicating such, other than my  
20 conversation orally with Ms. Swenarchuk and Mr.  
21 Freidin.

22 Can the Board confirm that that's their  
23 understanding as well?

24 MADAM CHAIR: I can't confirm exactly  
25 what the date is, but I understand there was to be a

1 fixed date for Mr. Mazer's appearance.

2 MR. LINDGREN: That is the week of  
3 January 28th, and if Mr. Cassidy would like, I can  
4 certainly confirm that in writing and perhaps after  
5 further opportunity to confirm that with Mr. Mazer  
6 himself.

7 MADAM CHAIR: Has it been confirmed?

8 MR. LINDGREN: That's what he's told me  
9 and I want to follow up on that.

10 MADAM CHAIR: Okay, let's get this  
11 straight. Mr. Mazer -- I don't think Mr. Benson is  
12 ever going to finish - Mr. Mazer is going to be January  
13 the --

14 MS. SWENARCHUK: 28th, so we are devoutly  
15 wishing that Mr. Benson could finish before that time.

16 MR. MARTEL: We don't have any control.

17 MS. SWENARCHUK: We expect he will. As I  
18 mentioned to you, Madam Chair, if there were to be a  
19 gap between Mr. Benson's completion and Mr. Mazer's  
20 availability, we will arrange to fill that by leading  
21 evidence of Panel 7 which are the economists, we'll be  
22 prepared to do that.

23 MADAM CHAIR: Mr. Cassidy, do you have a  
24 concern with the January 28th, the start date for Mr.  
25 Mazer's evidence?



1 MR. CASSIDY: Not at all, based on what  
2 Ms. Swenarchuk just indicated about filling in hearing  
3 time.

4 The only thing I'd ask is that -- Mr.  
5 Lindgren has now indicated he wants to confirm that  
6 with his witness, upon doing so, if he could simply  
7 advise us in writing so we can make our appropriate  
8 arrangements, we will accommodate that obviously.

9 MADAM CHAIR: Could you tell the Board  
10 what Mr. Mazer's evidence availability is, is it your  
11 intention that he be here for four days and that is it?

12 MR. LINDGREN: Based on, again, the  
13 nature and extent of the interrogatories that we  
14 received, he might take longer than a week, the four  
15 hearing days.

16 I had expected that we could complete his  
17 evidence from start to finish in the four days, based  
18 on the interrogatories that we received. That might  
19 have been overly optimistic, so there might be a  
20 problem there.

21 MADAM CHAIR: Have you received  
22 interrogatories from all the parties?

23 MR. LINDGREN: That's correct.

24 MR. CASSIDY: I would be surprised, quite  
25 frankly, if you finished.

1 MR. LINDGREN: So that is why I wanted to  
2 contact Mr. Mazer again with that observation and with  
3 an enquiry as to his availability the following weeks,  
4 but I know January 28th is fixed.

5 MR. CASSIDY: Mr. Lindgren, I take it  
6 that he would not be called before the 28th; is that  
7 correct?

8 MR. LINDGREN: That's correct.

9 MR. CASSIDY: Thank you. Then if I could  
10 just be advised by Mr. Lindgren as to what the final  
11 status is.

12 Thank you, Madam Chair.

13 MADAM CHAIR: All right. Then you will  
14 sort that out with Mr. Mazer and the parties, and we  
15 will expect him to start on the 28th.

16 MR. LINDGREN: That's correct.

17 MADAM CHAIR: And you may have to call  
18 Mr. Mazer back at another date. I think we should set  
19 a date to have a scoping session for --

20 MR. FREIDIN: Panel 6.

21 MADAM CHAIR: For Mr. Mazer, Panel 6, and  
22 also, if you were going to fill in someone between Mr.  
23 Benson and Mr. Mazer, that would be Panel 7.

24 MR. LINDGREN: That's correct.

25 MADAM CHAIR: Then we better set the

1 scoping date for Panel 7 as well.

2 MR. LINDGREN: I would suggest that  
3 perhaps the scoping session for Mr. Mazer's evidence be  
4 set for some point in the first week of January. The  
5 interrogatories are still outstanding, they have been  
6 provided to Mr. Mazer, he is still in the process of  
7 answering them. In order to have a meaningful scoping  
8 session, I think the parties should have the answers to  
9 the interrogatories.

10 MADAM CHAIR: All right.

11 MR. CASSIDY: You mean the second week of  
12 January?

13 MR. LINDGREN: Our first week back in  
14 January.

15 MR. CASSIDY: Yes.

16 MADAM CHAIR: The week of January the  
17 7th.

18 MR. LINDGREN: I would suggest maybe the  
19 Thursday afternoon, the 11th.

20 MR. MARTEL: No, no.

21 MADAM CHAIR: Mr. Martel would prefer the  
22 Wednesday.

23 MR. MARTEL: One of us still travels.

24 MR. CASSIDY: Well, if I could make a  
25 suggestion that we in fact make that as the deadline

1 for the statement of issues and have the scoping  
2 session perhaps the beginning of the following week,  
3 the 14th, just so that will enable those people who  
4 might happen to want to take a look at the time --

5 MADAM CHAIR: Good suggestion, Mr.  
6 Cassidy.

7 MR. CASSIDY: Thank you.

8 MR. MARTEL: Could we have them on  
9 Wednesday the 9th, the deadline for submission of the  
10 statements of issues will be Wednesday the 9th?

11 MR. CASSIDY: Thank you, Madam Chair.

12 MADAM CHAIR: And we say that because Mr.  
13 Martel has to fly out on Thursday and often the  
14 statements don't come in until the last minute and he  
15 can't take them with him. So it's better for us if  
16 it's on the 9th and we will hold the scoping session  
17 for Panel 7 on the 14th.

18 MR. CASSIDY: That would be at the usual  
19 four o'clock commencement?

20 MADAM CHAIR: Yes, Mr. Cassidy, and then  
21 we will have to do the Panel 7 scoping session close on  
22 the heels of Panel 6 if you want to -- if you have to  
23 fit that panel in before the 28th.

24 Is there any objection to submitting both  
25 statements of issues around the same date?



1 MS. SEABORN: Depends on the  
2 interrogatory responses. I think, Madam Chair, from my  
3 client's perspective --

4 MADAM CHAIR: Where is the interrogatory  
5 schedule going with Panel 7, where are we?

6 MS. SWENARCHUK: I don't know.

7 MS. SEABORN: The questions went out  
8 yesterday or the day before, I believe. I recall  
9 sending one out very recently.

10 MADAM CHAIR: If we set a date of January  
11 the 21st to scope Panel 7, what is the earliest date  
12 you would think you will have to lead Panel 7's  
13 evidence, the 28th or -- no, the week of the 21st.

14 MR. COSMAN: Perhaps from your  
15 calculations, when do we get the answers with respect  
16 to Panel 7 interrogatories? That would be helpful.

17 MS. SWENARCHUK: I don't have that number  
18 with me, I'm sorry. I would say early January.

19 MR. COSMAN: 15 days from yesterday.

20 MADAM CHAIR: What's that, 15 days from  
21 yesterday.

22 MS. SWENARCHUK: So mid to late December.

23 MR. COSMAN: So we would have them at the  
24 end of December, beginning of January. Maybe later in  
25 that week, the Wednesday of that week perhaps.

1 MADAM CHAIR: Yes, the 16th.

2 MS. SWENARCHUK: Scope the 16th, and  
3 statements of issue due on the 9th.

4 MS. SWENARCHUK: Seven days before.

5 MADAM CHAIR: All right then, Monday, the  
6 14th.

7 MR. FREIDIN: In the past we have done  
8 statements of issues--

9 MADAM CHAIR: Two days before.

10 MR. FREIDIN: --two days before the  
11 scoping session where we ran into problem.

12 MADAM CHAIR: All right.

13 Here's the schedule then. On January the  
14 9th the statement of issues are due for Panel 6, on  
15 January the 14th we scope Panel 6 evidence and also  
16 January 14th is the deadline for receiving statements  
17 of issues for Panel 7, and on January the 16th we hold  
18 a scoping session for Panel 7 evidence, and those  
19 sessions will both be at 4:00 p.m.

20 MR. FREIDIN: Madam Chair?

21 MADAM CHAIR: Yes, Mr. Freidin?

22 MR. FREIDIN: Just one matter, just so  
23 it's on the record. The other day I recounted my  
24 conversation with Mr. Greenspoon who is representing  
25 Northwatch and he did mention to me that at the moment

1 he hasn't got a problem with intervenor funding, but he  
2 may be in a position where he may need more funds once  
3 he puts his consultants to very busy work.

4 I just thought that the record should be  
5 complete about my conversation with him, and...

6 MADAM CHAIR: That's fine, Mr. Freidin.  
7 And he understands that this Board will do nothing  
8 about intervenor funding, other than referring the  
9 transcript.

10 MR. FREIDIN: I explained all the  
11 different panels and everything, I just thought I  
12 should recount the whole conversation, I just forgot.

13 MADAM CHAIR: Thank you.

14 Is there any other business we should  
15 take care of now? (no reply)

16 None. Thank you very much.

17 We'll reconvene tomorrow at 9:00 a.m.

18 MR. LINDGREN: Thank you, Madam Chair.

19 ---Whereupon the hearing was adjourned at 4:10 p.m., to  
20 be reconvened on Thursday, November 29th, 1990,  
commencing at 9:00 a.m.

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